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Support for Law Implementation On Economic Integration (STAR Plus Project)

**Annual Report
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USAID STAR Plus: Annual Report for FY 2012



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TABLE OF CONTENTS

I.	EXECUTIVE SUMMARY	4
	IR 1: EFFECTIVE TRADE AGREEMENT NEGOTIATIONS AND IMPLEMENTATION	4
	IR 2: COMPETITIVE ECONOMIC GOVERNANCE	5
	IR 3: SOUND MACROECONOMIC POLICY & FINANCIAL SECTOR REGULATION:	6
II.	PROJECT OPERATIONS IN FY 2012.....	8
	IR1: EFFECTIVE TRADE AGREEMENT NEGOTIATION AND IMPLEMENTATION.....	8
	<i>Sub IR 1.1: Effective Capacity To Meet Existing Trade Agreement Obligations.....</i>	<i>8</i>
	<i>Sub IR 1.2: Effective Capacity to Negotiate New Trade Agreements</i>	<i>15</i>
	IR 2: INTERMEDIATE RESULT 2: COMPETITIVE ECONOMIC GOVERNANCE	19
	<i>Sub-IR 2.1: Improved Executive Branch Organization, Coordination & Policy Coherence for more effective business regulation</i>	<i>20</i>
	<i>Sub IR 2.2: Improved Judicial Capacity to Enforce Commercial Laws & Mitigate Disputes</i>	<i>22</i>
	<i>Sub IR 2.3: Strengthened National Assembly capacity for economic law development and oversight.....</i>	<i>26</i>
	<i>Sub IR 2.4: Increased Transparency & Public/Private Sector Participation in the Development and Implementation of Business Regulations</i>	<i>26</i>
	IR 3: SOUND MACROECONOMIC POLICY & FINANCIAL SECTOR REGULATION	27
	<i>Sub IR 3.1: Financial Sector Regulation</i>	<i>27</i>
	<i>Sub IR 3.2: Improved Monetary and Fiscal Policy</i>	<i>28</i>
III.	LESSONS LEARNED AND PROJECT IMPLEMENTATION.....	31
	ANNEX 1: STATUS OF ACTIVITIES APPROVED IN FY 2012 WORKPLAN	35
	ANNEX 2: SUMMARY OF RATINGS BY TRAINING COURSE PARTICIPANTS.....	53
	ANNEX 3: APPROVED COUNTERPARTS.....	54
	ANNEX 4: SHORT-TERM TECHNICAL ASSISTANCE PROVIDED IN FY 2012.....	56
	ANNEX 5: LIST OF PRESENTATIONS AND WORKSHOPS.....	65

I. EXECUTIVE SUMMARY

To support the Government's efforts to achieve further economic integration, USAID STAR Plus responded to a wide range of requests by our 20 approved counterparts. (See Annex 3 for a full list of counterparts). During FY 2012, USAID STAR Plus supported 104 training programs for approximately 6,638 people. Of these, 3,878 were government officials and 33% were women. The Project provided evaluation questionnaires to the participants and shared the results internally. The survey results show that USAID STAR Plus workshops and training events received an average score of 9.6 on a scale of 1 to 10. Ninety-eight percent of respondents said that the events met their goals and 92% thought that the skills and knowledge acquired were useful or very useful for their jobs. The details of the onsite evaluations are provided in Annex 2.

We supported two overseas study missions for a total of 13 people. Eleven additional provinces established E-Official Gazettes using the USAID-funded software. That brought the total to 25 of 63 provinces. The number of visitors to provincial E-Official Gazettes broke the 70 million mark in FY 2012. Work on a website and database operated by the National Committee for International Economic Integration (NCIEC) was begun in FY 2012 and will be completed in FY 2013. The website and database will facilitate inter-ministerial coordination and communication on matters related to global integration. USAID STAR Plus also supported the creation of websites to the Ministerial Effectiveness Index and Project 16. Six research reports were drafted and shared with policy makers and leading economists.

As indicated in the Action Plan for FY 2012, the USAID STAR Plus project focused on three broad areas: (IR 1) Effective trade agreement negotiation and implementation, (IR 2) Competitive Economic Governance and (IR 3) Sound macroeconomic Policy and Financial Sector Regulation. Highlights of the results achieved under each element included:

IR 1: Effective Trade Agreement Negotiations and Implementation

Supported the TPP negotiation process by improving understanding in the areas of:

Economic impact of the TPP on Vietnam and other TPP partners;
Government procurement;
Technical Barriers to Trade;
Investment dispute resolution mechanisms;
Legal issues (legal gap analysis); and
Customs and rules of origin.

Supported implementation of the WTO/BTA commitments with the following results:

Lower piracy rate and stronger IPR protection;
More transparent and lower tariffs per WTO/ASEAN commitments;
Greater understanding of SPS and TBT risk management approach and implementation; and

Preparation/accession to key international conventions such as Hague Conference on International Private Law, Vienna Convention on International Sales of Goods.

IR 2: Competitive Economic Governance

Supported improvements in inter-ministerial coordination, which contributed to:

Improved understanding of measures to promote stronger interagency coordination and the central role of the Office of the Government (a new Decree was enacted)¹; and

Improved understanding of the division of labor between different branches of the national Government, local and central governments. This led to changes in the new draft Constitution and the new Law on Government Organization, both of which are scheduled to be approved in 2014.

Strengthened judicial capacity.

Improved training capacity of the Hanoi Law University and the Judicial Academy. The Academy trains all lawyers, judges and prosecutors in Vietnam. The Project focused on improving the training of lawyers and judges. It also provided information on the US experience with judicial reforms and training.

Better use of the SPC online portal by providing more reference materials and court cases; and

Stronger capacity for alternative dispute resolution (commercial mediation and arbitration).

Stronger oversight capabilities in the National Assembly leading to:

Greater capacity to oversee the Government budget and better fiscal discipline; and
Increased use of hearing procedures at both the committee and standing committee levels.

Increased transparency and strengthened partnerships in law and rule making. Our efforts contributed to the following results:

Release of the Ministerial Transparency Index (MEI) for 2011 and development of MEI for 2012 with more hard data resulting in actions to improve rule making at some ministries (Ministry of Finance, Ministry of Transportation and Ministry of Environment and Natural Resources) in response to MEI report;

Completion of Project 16 report which represents the joint efforts of businesses and Government under the leadership of Vietnam Chambers of Commerce in coordination with the Office of the Government to review 16 key legislations and their implementation;

¹ Decree 74 dated September 29, 2012 on organization of the Office of the Government. The decree sets up a new agency in charge of the executive and legislative branches and mass agencies and moves the Accounting Division into Office of Finance and Planning. (<http://baodientu.chinhphu.vn/Utilities/PrintView.aspx?ID=150500>).

Stronger role of legal departments at ministries and local offices (higher salary and clearer responsibilities) to ensure effective law/rule making and implementation;
Review of implementation of Law on Laws and Law on Local Laws; and
Ongoing, pilot codification of laws and regulations.

IR 3: Sound Macroeconomic Policy & Financial Sector Regulation:

Improved regulation of the financial sector which contributed to the following results:

Early Warning Reports on financial sector problems enabled the Government to take steps to avert a larger crisis by easing the money supply;

The State Bank of Vietnam took steps to increase financial transparency by publishing previously classified financial and economic data;

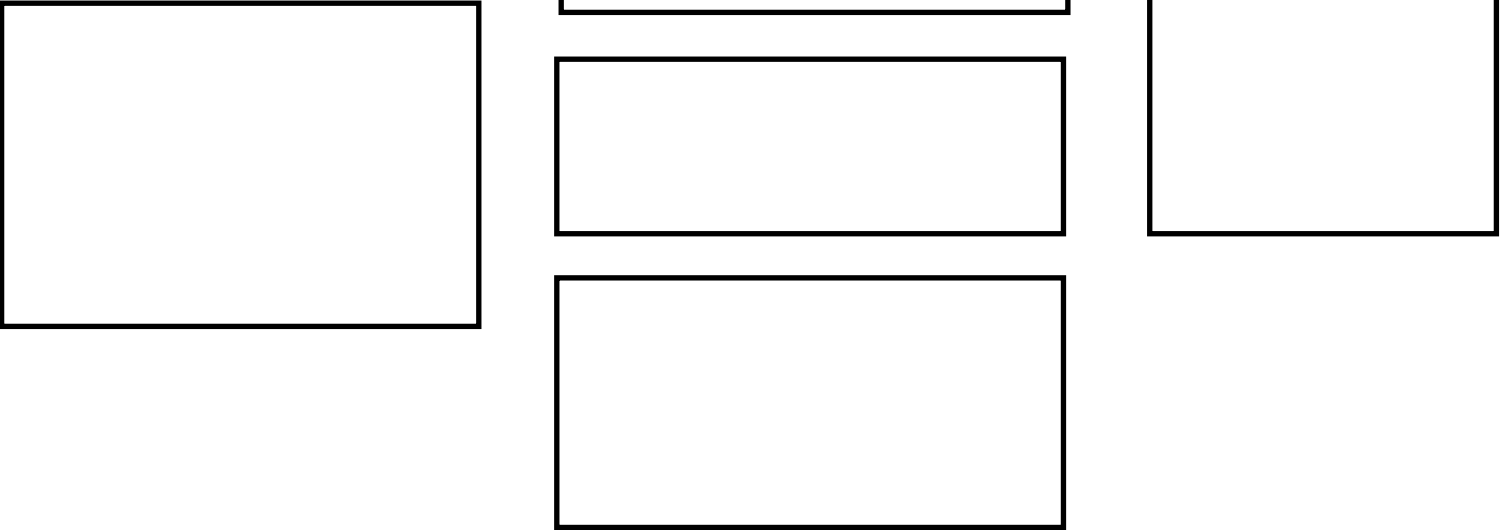
Ongoing effort to develop the first financial stability report by the National Financial Supervision committee. (Note: The status of the report is not clear. It may have been completed in FY 2012).

Improved fiscal and monetary policies contributed to the following results:

Development and dissemination of a simple yet effective framework for analyzing and forecasting macroeconomic performance with different assumptions of fiscal and monetary policies (financial programming); and

Technical partnership between research community and policy making agencies through frank discussion.

USAID STAR Plus Results Framework



II. PROJECT OPERATIONS IN FY 2012

This section reviews the main outcomes of the technical assistance provided in 2012. Detailed descriptions of all activities are included in the monthly reports which are available from the USAID Development Experience Clearing House.

IR1: Effective Trade Agreement Negotiation and Implementation.

Sub IR 1.1. Effective Capacity To Meet Existing Trade Agreement Obligations

Intellectual Property Rights Protection

Protection of intellectual property rights is an important element of the BTA and WTO agreements. It is likely that the final text of the TPP will include even more stringent requirements. IPR protection was an important element of USAID STAR I and STAR II, both ensuring that there was a strong legal framework and that there was effective enforcement. That effort has continued in USAID STAR Plus, but the emphasis has shifted to implementation of the laws and regulations and raising awareness of IPR protection. In FY 2012, USAID STAR Plus conducted 32 different programs related to IPR protection.

One of the greatest obstacles to effective enforcement has been failure of rights holders to file complaints with the enforcement bodies so that they can take action against violators. There was a major breakthrough in December 2011, when Vietnam Customs and the Vietnam Anti-Counterfeiting and Intellectual Protection Association of Foreign Invested Enterprises (VACIP) signed an agreement pledging to work together to fight IPR violations at the border. This partnership, which USAID STAR Plus worked hard to promote, has led to a large increase in the quantity and value of counterfeit goods seized by Customs. For example, three containers of counterfeit luxury goods from China were seized in February 2012 as a direct result of the new partnership. That one action, alone, was equal to 50% of the total value of counterfeit good seized in 2011.

The Project also played an important role in training a new organization in Vietnam Customs (Unit 4) that is specialized in IPR protection. USAID STAR Plus also fostered closer cooperation between the Ministry of Science and Technology (MOST) and VACIP in training local officials on the IPR rules related to counterfeit goods. Similar efforts were undertaken with the Ministry of Sports, Culture and Tourism with a special focus on cinema and television products--a major concern of the United States. More than 40 provinces benefitted from that training.

To further strengthen IPR protection, USAID STAR cooperated closely with the US Patent and Trademark Office, US Federal judges and the Supreme People's Court on several activities, including programs for provincial court judges and law school faculty members to improve their ability handle IPR cases. These efforts were reinforced by training conducted at the Ho Chi Minh Academy for Political and Administrative Development, the Judicial Academy and the Hanoi Law University in cooperation with Southern Methodist University's (SMU) School of Law. The SMU cooperation led to development of a syllabus on IPR for the Hanoi Law University's new program

on international trade law, a scholarship program to enable Government officials and students to study at SMU and a generous donation of books to the Hanoi Law University's library.

IPR Training for Cinema Industry

One of the most visible areas of IPR infringement is cinema, both local and international. To create greater awareness of the importance of IPR to cinema and the potential benefits to the local cinema industry, USAID STAR Plus and the Management Training School of the Ministry of Sports, Tourism and Cultural Affairs, conducted seminars on cinema policy and global economic integration. The seminars covered copyright protection for cinematography, the close relationship between copyright protection and the development of cinema industry, as well as the management of the cinema industry. Two foreign experts provided the participants with an understanding of the fundamentals of the cinema industry in the US, Korea, and India. They also introduced the concept of movies ratings, which are very common in advanced cinema industry, but not yet used in Vietnam. Three Vietnamese speakers provided participants with an overview of the current legal framework for copyright protection and practical experience in film festivals. The programs were attended by over 100 60 government officials from Hanoi, HCMC and other southern provinces.

Building Capacity at Customs Under the USAID Partnership for Trade Facilitation (PTF)

Janet Labuda a former senior official from the U.S. Customs and Border Protection Service began the work under the PTF by conducting a needs assessment of Vietnam Customs using the PTF categories as general guidelines with a specific focus on the likely commitments for customs, trade facilitation and rules of origin that Vietnam will be asked to undertake in the TPP FTA.

Using the information collected during her needs assessment trip, Ms. Labuda prepared an Action Plan to address critical needs on topics, advance rulings, release of goods, express shipments, risk management, transit goods, performance benchmarking and building Customs-Business partnerships. During her trip to Vietnam she conducted a 3-day seminar for Customs officials on a range of topics.



Customs Training On Advance Rulings

Ms Labuda's assessment was used as the basis for an action plan jointly agreed upon by Customs and USAID STAR Plus. As a follow-up, the Project conducted training programs in the North and the South on advance ruling procedures and classification of goods in September 2012. Additional workshops were delayed until FY 2013 due to special circumstances that halted operations at Vietnam Customs headquarters.

As a follow-up to the training on advanced ruling procedures, a pilot effort was launched using free web tools to create an on-line database of rulings that would be readily accessible by any Customs official with internet access. VN Customs officials have begun using the online database to consult with Ms. Gail Hammil, the USAID STAR Plus consultant on classification.

One of the challenges we faced in working with VN Customs is convincing the IT Department of Customs to accept an extremely low cost solution instead of one that would cost hundreds of thousands of dollars. USAID STAR Plus also developed an on-line tariff database for Vietnam Customs, but the IT Department was not supportive of a low cost solution, so in FY 2012 the Project hosted the database on an external server while Vietnam Customs attempted to resolve their internal issues.

To increase Vietnamese Customs officials' understanding of customs modernization, USAID STAR Plus translated three documents prepared by the USAID/TC Boost Project and provided them to Vietnam Customs. They are:

Advanced Rulings-Resource Guide (USAID 2011)

Authorized Economic Operator Program Handbook (USAID 2010)

Post Clearance Audit Handbook (USAID 2011)

Legal Framework for Agricultural Trade

Trade between Vietnam and the United State has grown tremendously in the last several years. In the first eight months of Calendar Year 2012, U.S. food and agricultural exports accounted for 38% of the \$2.98 billion in U.S. exports to Vietnam. Over the same period, Vietnamese food and agricultural exports to the United States accounted for 13% of Vietnam's

\$13.27 billion in exports to the United States. The Trans Pacific Partnership FTA could accelerate this trade even more. However, these gains can only be realized if there is a legal framework in place that supports it. Both countries recently passed new legislation that could have a tremendous impact on trade in agricultural goods, so an important area of activity for USAID STAR Plus in FY 2012 was addressing these new challenges. The risks were particularly high for U.S. producers of dairy products, including some new dairy ingredients that are just starting to be produced on a commercial scale. The goal was to ensure that Vietnamese standards are harmonized with international standards to the maximum extent possible. USAID STAR Plus worked very closely with the USDA, the Food and Agriculture Export Alliance (FAEA), the Ministry of Industry and Trade (MOIT) and the Ministry of Agriculture and Rural Development (MARD), the U.S. dairy Export Council and private producers. The activities carried out in FY 2012 included:

Workshops for almost 200 people were conducted in the north and south of the country to enable them to understand the new SPS requirements of the U.S. Food Safety Modernization Act. Special attention was devoted to the issue of maximum permitted chemical residues levels and the successful experiences of Mexico and New Zealand in developing new markets for avocados and Kiwi fruit. Some Vietnamese officials who were angered by the FDA's refusal to allow some dragon fruit shipments to enter the US market were calling for retaliatory action against US exports to Vietnam. As a result of the Project's efforts, agreement was reached on the steps needed to overcome this issue and a potential disruption to the smooth flow of trade was averted. The dragon fruit MRL issue is not yet resolved, but discussions are underway with the EPA that will lead to a resolution.

Training, in cooperation with MARD, of 40 people from ministries, milk associations, dairy producers, importers and research institutes on dairy risk assessment. Vietnam is the 7th largest market for US dairy products, so the implications for trade were tremendous. The principal message to the participants was that risk assessment must be based on science. This basic, but important message is critical to the continued ability of US producers to export to Vietnam, so it is continuously reinforced in all of our programs.

Training for MARD officials on the concepts and principles of food safety risk assessment. The presenters included the former US Undersecretary of Agriculture for Food Safety. As well as covering general principles, the program identified low cost and no cost steps that could be taken in wet markets that could have a dramatic impact in reducing the incidence of food borne illnesses.

While USAID STAR Plus does not, generally speaking, assist with the drafting of new laws and regulations, per guidance from the Ministry of Justice, an exception was made for the Law on Plant Protection. The MARD was anxious to obtain comments from the Project, as was the USDA. The United States exported \$1.7 billion of agricultural products to Vietnam in 2011, so the consequences of a law being passed that would erect new obstacles to trade were potentially very large.



Food Safety Risk Assessment Training

Vietnam Competition Authority Training

To enhance local capacity to deal with trade remedies cases, USAID STAR Plus sent five officials from the Vietnam Competition Authority to Phnom Penh for a training program on trade remedies sponsored by USAID and taught by an expert from the WTO Secretariat in Geneva. In addition to the delegation from Vietnam, USAD sponsored the participation of 20 persons from Cambodia and two from Laos.

VCA staff received additional training on anti-dumping over the course of approximately six months. USAID STAR Plus also conducted workshops with VCA to train local officials and members of the Consumer Protection Association on the new Commercial Protection Law and techniques for effective handling of consumer complaints.

Sustainable Standards and Market Research Tools

MOST worked with USAID STAR Plus and the International Trade Center in Geneva (ITC) to provide training for approximately 135 people, including trainers of trainers, in the Central Highlands and the Ho Chi Minh City area on a set of analytical tools developed with USAID support. Subsequently, training was conducted for the Hanoi People's Committee Department of Trade and Investment. The tools are available to anyone in Vietnam with an internet connection. A CD-ROM guide to one of these tools, Trade Map, was also dubbed in Vietnamese and distributed widely. The tools, Standards Map, Trade Map, Product Map and Investment Map are a powerful, yet easy to use mechanism to allow businesses and others



Training on Trade Map With STAMEQ

to identify new markets for their products and understand what the requirements are to successfully compete in those markets. As a result of the training, Vietnam has risen to the rank of 10th in the world as the heaviest user of these tools. Anecdotal evidence and usage statistics from the ITC in Geneva suggest that the training that has been conducted has had a big impact already and that impact will continue to grow as more and more people become



Training of Trainers at Foreign Trade University in Hanoi

familiar with the tools. In the words of one training participant, “Trade Map is the greatest tool (sic) that I have ever known and applied to my business. This is very useful for my company’s export business. The data is very precise and updated frequently. At first, I am going to use this tool to search for new potential products for export...”. Although the primary beneficiaries were Vietnamese exporters, the ITC tools are also available to U.S. producers. U.S. companies that have invested in Vietnam, such as Nike, can also benefit from locally produced products that are more competitive internationally as a result of meeting internationally recognized standards, such as the Rainforest Alliance standard, Fair Trade standards, Good Agricultural Practice Standard (GAP), etc.

Ministry of Foreign Affairs Training

In FY 2012, USAID STAR Plus continued the third annual training program on international economic integration for mid-level staff of the Ministry of Foreign Affairs (MOFA). The five-week training, which includes two weeks in Hanoi and three weeks in the United States, is a joint effort of USAID and Connecticut College. In addition to mid-career diplomats from MOFA, the FY 2012 training included staff from the Central Committee of the Communist



Group Exercise During A Training Program

Party. In recognition of the important role of this training, the Government of Vietnam funded approximately 95% of the total cost. By the end of the USAID STAR Plus Project, approximately 70 people with great leadership potential will have undergone this training. The full impact will not be known for several years, but early indications are that they will be an important force pushing for further integration in the future.

Sub IR 1.2: Effective Capacity to Negotiate New Trade Agreements

Support for the TPP

Consistent with the instructions of the Steering Committee and USAID, one of the highest priorities for the USAID STAR Plus Project in FY 2012 was support for the Trans Pacific Partnership Free Trade Agreement (TPP). Under the guidance of USAID, we consulted and coordinated with USTR and the U.S. Embassy to provide TPP related technical assistance. While progress was made, our efforts were hampered by the secrecy surrounding the text of the chapters that were being negotiated and the difficulty of engaging the over stretched counterparts in USTR and the Ministry of Industry and Trade due to the rapid pace of the negotiations and the need to travel constantly. Nevertheless, considerable progress was made in several areas:

Using the South Korea-U.S. Free Trade Agreement (KORUS) as a proxy of the confidential TPP chapters, the Project undertook a major effort to identify gaps between existing commitments and laws and those likely to appear in the TPP. In many cases, this analysis revealed that Vietnam had already agreed to certain conditions that they were rejecting under the TPP. Simply creating awareness of existing concessions was, reportedly, very helpful in moving the discussions forward. By the end of FY 2012, a total of 55 gap analysis papers had been prepared.

In order to increase understanding and build support for the TPP, the Project undertook several programs with the Foreign Affairs Committee of the National Assembly. Professor Peter Petri of Brandeis University spoke at eight events for over 350 people about an independent analysis of the likely impact of the TPP. According to Dr. Petri's model, the welfare gains from the TPP could rise to \$104 billion per year by 2025. Among the nine countries then participating in the TPP, Vietnam would be the greatest beneficiary by far. Ambassador Susan Schwab, the former US Trade Representative briefed 90 National Assembly leaders and other high officials on the potential benefits of a free trade agreement with the United States and the challenges of the TPP. The proceedings of the workshop organized around her trip were subsequently published and distributed to all members of the National Assembly. At the request of the National Assembly Foreign Affairs Committee, the Project also conducted workshops on the TPP for People's Deputies and local officials from the north, middle and south of the country (140 people). Featured speakers included Ambassador Alan Wolff, former Deputy US Trade Representative and Dr. Robert Rogowsky, former Senior Economist at the International Trade Commission in Washington.

To increase elected officials' understanding of the TPP, USAID STAR Plus, in response to a request from the National Assembly, translated three documents and provided them to the National Assembly Deputies. They were:

The Trans-Pacific Strategic Economic Partnership Agreement (prepared by the Congressional Research Service);

Enhancing Trade and Investment, Supporting Jobs, Economic Growth and Development: Outlines of the Trans Pacific Partnership Free Trade Agreement by USTR;

USTR Press Releases: Melbourne Round of the TPP Negotiations

One of the key issues in the TPP negotiations is the Environment Chapter. To increase the understanding of the issues on the part of the Ministry of Industry and Trade, the Ministry of Natural Resources and Environment and other stakeholders, USAID STAR Plus brought Dr. David

Brooks, the former USTR Director for the Environment, to Vietnam. Dr. Brooks participated in workshops in HCMC and Hanoi on “Environment in Free Trade Agreements, Related Regulations and Implementation.” He also held a number of meetings with relevant ministries. Dr. Brooks identified three key issues that needed to be addressed; (1) A lack of understanding of the complex legal text on the environment that the US has tabled (in prior FTA agreements), (2) weak inter-ministerial coordination and (3) limited consultation between stake holders and ministries regarding trade and the environment. Several ministries expressed strong interest in having Dr. Brooks return to follow-up, but the Project was not able to obtain a specific commitment from the Ministry of Natural Resources and the Environment regarding the scheduling and content of additional work on this topic. The intersection between trade and environment appears to be an area with a number of needs. An internet search turns up several articles with titles such as “Vietnam Ranked Worst Wildlife Offender.” (<http://goo.gl/EcEXi>)



Vietnamese Footwear Exports Totaled \$6 Billion in In 2011

To increase local understanding of TPP-related issues, USAID STAR Plus and the Ministry of Justice held a workshop in February 2012 for 40 representatives of MOIT, Customs, MPI, the Foreign Trade University and other ministries on transparency, investment and dispute settlement commitments one would expect to find in an FTA with the United States. The KORUS FTA was used as a proxy for the TPP since that text is secret.

A follow-on study tour to Washington, D.C. and New York for MOJ officials was to have been held in late FY 2012, but it was postponed at the request of the MOJ. USAID STAR Plus prepared a program for the study tour, which will be led by a Vice Minister and funded largely by the GVN. The study tour is currently scheduled to take place in November 2012. It will provide the Vietnamese officials with important background with which to negotiate the TPP chapter on investment disputes.

On the topic of government procurement in international trade agreements, at the request of the Ministry of Planning and Investment, USAID STAR Plus invited Professor Steven Schooner of George Washington University to share US procurement practices and regulations governing public procurement with the Ministry. Professor Schooner reviewed Vietnam's laws governing government procurement and advised local officials on the benefits of basing procurement decisions on value for money and quality of goods and services rather than focusing only on the lowest bid, as is the current practice. During his visit, the Project also supported two workshops that were joined by WTO experts on government procurement and the WTO's new GPA agreement. As a result, MPI is giving serious consideration to adopting significant changes to government procurement procedures that would result in better value at a lower cost. The changes would also bring Vietnam into line with WTO requirements under the new Government Procurement Agreement. This would, reportedly, remove a major obstacle in the TPP negotiations.

Former US Customs and Border Protection official, Janet Labuda, prepared two research papers on customs issues ("Yarn Forward Rule of Origin and Investment Potential" and Importer Self-Certification." These papers formed part of the foundation for a larger technical assistance program to address Customs constraints likely to emerge from the TPP FTA agreement.

In order to provide TPP negotiators with easy access to key information during the negotiating rounds, USAID STAR Plus provided the Ministry of Industry and Trade with USBs containing over 1,000 documents, including:

- Tariff Nomenclature for all TPP countries;
- Bilateral trade data for all TPP countries as the HS 6 digit level;
- The text of all FTAs Vietnam has signed with TPP countries;
- Vietnam's WTO commitments;
- Key WTO Agreements in Vietnamese;
- Research data and research studies on the TPP.

Ready access to this information should make the task of the Vietnamese negotiators easier. The portable database was provided to the negotiators prior to the 12th (Dallas) Round of TPP negotiations. A web-based version of this material was also launched so that business associations, NGOs and any other stakeholder can easily download it.



Soliciting Stakeholder Comments

USAID STAR Plus conducted several outreach programs in FY 2012 to raise awareness and support for the intellectual property rights protection (IPR) in the TPP. The audiences, which ranged from 60 to 100 persons per event, included lawyers, academics, students, businessmen, journalists and Government officials. Speakers ranged from experts on the pharmaceutical industry to Google to the Motion Picture Association of America. These events were an “eye opener” for many of the attendees, but the extensive press coverage reached a much larger audience.

One event in Hanoi caused Samsung and Coca Cola to withdraw their advertising from a leading site where people can download music illegally. That cause the violator, Zing.vn, to end the practice and prompted many large companies to reconsider the indirect role they play in IPR violations.

The MOIT identified seven high priority TPP research topics that they wished to have USAID STAR Plus assistance on:

Labor and trade unions (the US and Singapore experiences);
Yarn Forward Rules and foreign direct investment;
Self-certification of rule of origin (US experience);
US experience in dealing with fraudulent declarations of origin;
FTAs and their effect on trade;
Non-market economy status.

Five highly respected experts were identified to work on these issues. USTR expressed strong reservations about all of the requests at first. Some technical assistance was provided to the General Department of Customs, but work on additional topics will only proceed if USTR indicates it will not complicate on-going negotiations.

Negotiation Skills Training

A common complaint from persons involved in trade negotiations with Vietnam is that there is a severe shortage of people with the necessary skills to conduct a negotiation. There is little understanding of the fundamental principles and, as a result, negotiations often stall over minor issues. To begin to address this problem, USAID STAR Plus provided negotiation skills training for 20 trainers from the Diplomatic Academy of Vietnam. The Academy trainers intend to use their new skills to design a similar training program that will be added to the DAV's curriculum. Since the DAV is a major source of skilled manpower for many ministries, this will have a very positive, long-term impact on ministerial capacity.

Training on FTA Issues

The number of persons in the Ministry of Industry and Trade who have an adequate understanding of FTA issues is minimal. One of the challenges facing the TPP negotiations is the severe manpower shortage on the Vietnamese side. This problem is likely to get worse when Vietnam begins negotiations on a Free Trade Agreement with the European Union and Belarus in 2013. To begin to address this issue, USAID STAR Plus arranged for up to 50 persons from the Ministry of Industry and Trade to enroll in an on-line training program offered by the Institute for Law and Commercial Diplomacy in the United States. The Institute has provided similar training in Vietnam on several occasions and it has been very well received. USAID STAR Plus also offered to provide regular training on FTA issues for MOIT staff in Hanoi. This would be similar to the training provided to the staff of the Vietnam Competition Authority over the past two years. Unfortunately, a combination of busy schedules and administrative issues in MOIT prevented any of this training from taking place. If the administrative issues can be resolved, some training could still be completed in FY 2013 or later, if the Ministry wishes to use its own budget resources to train its staff.

TPP and Investor Dispute Resolution

An inevitable result of increased foreign direct investment is an increase in the number of investment disputes involving the Government. In the coming years, it will be very important that local officials understand what their obligations are under the TPP FTA, as well as existing obligations under the BTA and BIT, with respect to avoiding and resolving investment disputes. To address this need USAID STAR Plus conducted three workshops for 155 officials from throughout Vietnam on this topic. The exact requirements of the TPP are unavailable, but the program used the KORUS FTA and other FTAs the US has recently negotiated as proxies. One of the most important results of this training was that the Ministry of Justice fundamentally changed the approach they had been planning to use in drafting a decision on investor-state dispute resolution. As a result, future actions will be better coordinated and quicker. The Project also commissioned Professor David Gantz of the University of Arizona Law School research paper that was used in formulating a Prime Ministerial decision on resolving investor-state disputes.

IR 2. Intermediate Result 2: Competitive Economic Governance

Sub-IR 2.1: Improved Executive Branch Organization, Coordination & Policy Coherence for more effective business regulation

The Constitution of Vietnam is scheduled to be amended in 2014 to bring it more into line with the shift to a market economy since it was last changed 1992. The Government is very interested in using this opportunity to make fundamental changes in the organization of the Government and, possibly, to decentralize authority to provinces and lower levels of government. USAID STAR Plus undertook a number of activities help to officials from the Office of the Government (OOG), the Ministry of Planning and Investment and (indirectly) the Ministry of Home Affairs formulate alternatives and make informed choices. Much of the effort was focused on developing the Law on Organization of the Government. The main objectives were to ensure:

Effective implementation of laws and orders, including those on economic integration, from the top levels of government to the bottom.

Effective cooperation and communication among ministries working on cross cutting issues, such as climate change.

Greater professionalism in the civil service (shifting from a control culture to a service culture).

In April 2012, USAID STAR Plus organized a study tour to Washington, D.C, Missoula, Montana and Los Angeles, California for 11 senior officials from the OOG, the Ministry of Justice, the Ministry of Public Security and the Ministry of Foreign Affairs. The group met with a wide range of persons and organizations from the White House Office of E-Government to the Mayor of Missoula. While Vietnam will have to find its own solution to the question of decentralization, the delegation said that the exposure they got to US institutions was invaluable. The study tour was followed by several workshops in different parts of Vietnam to seek input from the public and private sectors with regard to how to devolve power to the local level and to share the lessons learned in the US with local leaders.

USAID STAR Plus also partnered with the American Bar Association and the Vietnam Lawyers Association to discuss proposed changes to Article X of the Constitution, the importance of prosecutorial independence and the role of the prosecution in civil appeals



OOG Delegation Meeting With House Oversight and Government Reform Committee

Other programs that attracted large audiences include a 2-day technical workshop on the US Constitution for the Ministry of Justice and the National Assembly, a two-day workshop on the role of the Government in the economy and a detailed discussion with officials from MPI on what steps should be taken to decentralize authority for a number of government functions to various local authorities. In the MPI program, two clear conclusions were reached. First, it is impossible to separate investment decisions from politics. Second, completion among different political parties is an essential element to ensure better decision making. It is not clear how these findings will be incorporated in the new constitution and other instruments, but the level of awareness of these issues was raised considerably.

Dynamic Comparative Advantage

There is a great deal of discussion among policy makers about the need to “move up the value chain” and to avoid the “middle income trap.” Using trade data for China, Japan, Vietnam, South Korea and other countries from 1962 to the present, Professor Jim Riedel and Dr. Pham Tra investigated whether or not this is a sound policy recommendation. What they found was that as countries grow wealthier their comparative advantage shifts to more capital intensive products. For Vietnam, their research suggests that efforts to avoid the middle income trap would constitute a serious misallocation of resources and would do little to benefit the economy. Their findings have been conveyed to policy makers and shared with leading Vietnamese researchers.

Improving the Law Making Process

Although considerable progress has been made in improving the law making process in Vietnam, the rules governing local level law making and national level law development are different. USAID STAR Plus and the Ministry of Justice held a series of workshops in FY 2012 to explore the

possibility of combining the (national) Law on Laws and the Local Law on Laws. This will ensure that laws at all levels are subject to the same terms of issuance and it is a critical step in improving the effectiveness of laws and regulations at the central and local levels. USAID STAR Plus and the Ministry of Justice also conducted surveys in several provinces on the implementation of the Law on Local Laws and Decree 55 on the establishment of legal divisions at the provincial level. The surveys confirmed that Decree 55 is a great step toward strengthening the rule of laws by mandating the establishment of legal units in 14 local departments. However, implementation has fallen short of expectations. The survey also made clear that there is a tremendous need for codification. The lack of clarity with regard to what laws are currently in effect is a huge obstacle to strengthened rule of law. These programs helped build consensus that several fundamental changes are necessary. For example, the practice of issuing Official Letters with notification is a clear violation of Vietnam's WTO commitments. It is almost certain that the TPP will have requirements for regulatory coherence, regulatory impact analysis, public consultation and publication. Some of these are adequately covered in the Law On Laws, but not at the sub-national level. Additional efforts to merge these two laws will be undertaken in FY 2013. Progress on this issue will strengthen the rule of law and help meet important international commitments.

Franchising

At the request of the Ministry of Industry and Trade, the Project worked with MOIT and the US Foreign Commercial Service to hold a workshop in HCMC for approximately 100 people, including regulators and businesses, to promote the concept of franchising in Vietnam. The participants learned about the relevant Vietnamese laws governing franchising and how they compare with international best practices, cases studies of good and bad franchising, and guidance of things to consider before entering into a franchise contract.

Sub IR 2.2: Improved Judicial Capacity to Enforce Commercial Laws & Mitigate Disputes

Criminal Procedure Process

Following on work done under USAID STAR II, USAID STAR Plus worked with the Supreme People's Procuracy (SPP) in reviewing the US criminal procedure process (CPR) and formulating a proposal for revisions to Vietnam's CPR. The SPP recommended adoption of a number of sweeping changes, including revising the competencies of the prosecution and the courts to overlap, concentrate the power of indictment with the SPP, introduce elements of an adversarial procedure (to provide equal rights for prosecution and the defense, improve the status of lawyers and their ability to represent clients and improve safeguards for the defendant. The proposal was approved by the Central Judicial Reform Steering Committee and subsequently submitted to the Politburo. Upon approval from the Politburo, the SPP will begin drafting the amended provisions. If approved, the amendments would significantly improve the operation of the judiciary and the Procuracy, as well as improving the quality of justice.

Judicial Assistance

At the request of the Ministry of Justice, USAID STAR Plus brought Mr. Phil Guentert, a Federal prosecutor with the Department of Justice to participate in an MOJ program to review the

experience is responsible for handling mutual legal assistance for the US Department of Justice throughout Southeast Asia. The program attracted the participation of 60 people from the Supreme People's Court, the Ministry of Public Security, the Supreme People's Procuracy, the Office of the Government, the Office of the State President, Provincial courts and provincial Civil Judgment Enforcement Agencies. The program identified several problems with the current law and called for legal and institutional reform/cooperation to improve implementation of the Law. There was some discussion of the possibility of a Mutual Legal Assistance Treaty (MLAT) between the US and Vietnam. This subject also came up during an SPP study tour to Washington in 2010. No action was taken on negotiating an MLAT, but the exchange did much to enhance informal legal cooperation. Subsequently, the International Cooperation Department of the Ministry of Justice, with assistance from USAID STAR Plus, held a workshop to seek input for a report to the Prime Minister on improving judicial assistance. The MOJ reviewed 46 legal normative documents related to judicial assistance and made recommendations to amend 16 laws, circulars and decrees.

Hague Conference

The Hague Conference, sometimes called the World Organization for Cross-Border Co-operation in Civil and Commercial Matters, is a global inter-governmental organization established in 1893 that currently has 71 member countries plus the European Union, representing 4.5 billion people. In addition, 70 other countries are parties to one or more Hague Conventions. The Hague Conference's purpose is to work toward unification or harmonization of private international law rules. To this end, the Conference has developed and currently services 39 international conventions which respond to global needs in the areas of: (1) International protection of children, family and property relations; (2) International legal co-operation and litigation; and (3) International commercial and finance law. In terms of international trade and investment, some of the most important issues the Hague Conference deals with are choice of court agreements in international contracts, recognition and enforcement of judgments, international contracts, legalization of documents, torts (international product liability), trusts and securities held with an intermediary. In early FY 2012, the MOJ requested USAID STAR Plus to recruit an international expert to provide advice and assistance in helping Vietnam determine whether to apply for membership in the Hague Conference. USAID STAR Plus succeeded in recruiting the Deputy Secretary General of the Hague Conference, Dr. Christophe Bernasconi. STAR Plus funded part of Dr. Bernasconi's trip plus a two back-to-back workshops organized by the MOJ in Hanoi, where Dr. Bernasconi was the main presenter. Also at the MOJ's request, USAID STAR Plus prepared a paper entitled "The International Experience in Joining The Hague Conference on Private International Law and the Impact on Vietnam of Joining". The paper set out persuasive arguments why Vietnam should become a member of the Hague Conference. This paper was very well received by the MOJ and the arguments in the paper were subsequently used to persuade other ministries and agencies to agree that Vietnam should become a member of the Hague Conference. On September 21 the Ministry of Justice announced that the Government had just issued its Decision that Vietnam will join the Hague Conference on Private International Law. By joining the Hague Conference, the most prestigious organization in the world for private international law development, Vietnam has taken a major step forward in its international integration.

Vienna Convention/CISG

The United Nations Convention on Contracts for the International Sale of Goods (CISG), also known as the Vienna Convention, is a treaty offering a uniform international sales law. It was signed in Vienna in 1980 and, by 2010, it had been ratified by 77 countries. It is very popular because it makes disputes over the sale of goods less expensive and it reduces the risk of being forced to use a legal system that may be completely alien to one party. USAID STAR Plus carried out a survey of 127 businesses and legal professionals to determine their views on whether or not Vietnam should join the CISG. The respondents were overwhelmingly in favor of joining the Convention. The survey results were provided to the Ministry of Justice. They will work with the Ministry of Industry and Trade to prepare a recommendation to the Prime Minister on the subject. If the Prime Minister approves the recommendation to joining the CISG, Vietnam will have taken another important step toward international economic integration and in creating a better business environment.

TPP Related Technical Barriers to Trade Training

To prepare the relevant officials for the likely new requirements on transparency and rulemaking procedures for TBT regulations under the TPP, USAID STAR Plus and the Directorate for Standards and Quality held training programs for almost 170 people in Hanoi and Ho Chi Minh City. The participants came from provincial TBT Network offices, ministries and private businesses. In addition to learning about TBT chapters in recent FTAs, they improved their ability to comment on draft regulations and learned about good regulatory practice. A follow-up program was held in Hanoi with the participation of USTR, the Department of Commerce, the Office of Management and Budget and the National Institute for Science and Technology (NIST).

Commercial Mediation

Mediation is a commonly used mechanism for resolving commercial disputes in advanced countries. It is relatively inexpensive and faster than using the judicial system. It is rarely used in Vietnam; however, due to the lack of a legal framework. The Ministry of Justice is attempting to build a framework and asked USAID STAR Plus for assistance. In response, we brought Judge Patrick King, a 25-year veteran of the Federal bench to Vietnam to conduct workshops on the topic, meet with local practitioners and make recommendations regarding the structure of a legal framework for commercial mediation. A Dutch lawyer with extensive experience in the field also provided assistance on a pro bono basis. Judge King also made presentations at the Judicial Academy on the use of mediation by courts. If adopted, commercial mediation and court mediation could have a huge impact.

IPR Handbook for Judges

Intellectual property rights is a very complex, technical subject and most judges in Vietnam are poorly prepared to deal with IPR cases. This is one of the reasons that in spite of the existence of an excellent IPR law, enforcement is still weak. To address this issue, USAID STAR Plus brought together the Business Software Alliance, leading lawyers and a special 14-judge task force from the Supreme People's Court to discuss what could be done. They concluded that it would be very beneficial to develop an IPR Handbook for judges that is focused on special procedural and

substantive issues inherent in IPR cases and many illustrative cases to show how IPR laws should be applied in practice. When completed in 2013, the Handbook will be of great assistance in making the courts an effective instrument for enforcing intellectual property rights.

Supreme People's Court Portal

Established in FY 2010 with assistance from USAID, the SPC web portal continues to provide members of the judiciary with important sources of information to carry out their duties more effectively as well as providing lawyers and members of the public with greatly increased access to information about the workings of the judiciary. In FY 2012, the Project provided the SPC portal with translations of a number of publications from the Federal Judicial Center in Washington that provide practical advice to make the judiciary more independent and professional. The SPC also continued to post important decisions of the Supreme Judicial Council on the portal.

Legal Education

Efforts to support the development of a new international law curriculum at the Hanoi Law University were scaled back sharply in 2012, but modest efforts were made to support improved legal education. Professor James Taylor of the University of Montana conducted training at the Judicial Academy on the use of legal clinics as part of legal education. He also met with members of the faculty of Hanoi Law University to exchange ideas. USAID STAR Plus secured the rights to electronic distribution of a Vietnamese translation of a book on international labor law by Professor Lance Compa of Cornell University. The book is one of the most popular of its kind. It is now available at no cost to universities throughout Vietnam to use in their legal training programs.



Sub IR 2.3: Strengthened National Assembly capacity for economic law development and oversight

Public Hearings

Several committees of the National Assembly requested assistance in learning more about the U.S. experience with Congressional hearings as a mechanism for exercising oversight of the operations of the Government. To begin to address this issue, Professor William Frasure of Connecticut College discussed the US approach with approximately 50 members of the Budget and Finance Committee, the Office of the National Assembly and the Institute for Legislative Studies. In separate workshops with Finance and Budget Committee of the National Assembly, USAID STAR Plus experts gave presentations on the role of the Congressional Budget Office and the role of Congressional budget hearings. According to the Committee Chairman, the information provide will be of great help to the National Assembly in exercising greater control over the State budget and state-owned enterprises.

Evidence that these efforts were bearing fruit became apparent in April 2012 when the National Assembly held it first formal Committee hearing. The Minister of Transportation was summoned to testify by the National Assembly. The proceedings were televised and covered by many newspapers. Ordinary citizens were able to send text messages with questions for the Committee Chairmen, many of which were very pointed and difficult. More and more hearings like this are likely to be conducted in the future.

Sub IR 2.4: Increased Transparency & Public/Private Sector Participation in the Development and Implementation of Business Regulations

Project 16

USAID STAR Plus, the United Kingdom and the Vietnam Chamber of Commerce and Industry engaged in an important public-private partnership to review 16 laws and implementing regulations regarded as very important by the business community that were scheduled for revision by the National Assembly in FY 2012. A report, including detailed recommendations to make the legislation more business friendly, was presented at a press conference and distributed to all ministries and all members of the National Assembly. This effort was an important indication of how much more open the law making process has become and it showed how to be effective in taking advantage of the new opportunities to influence the process.

Ministerial Effectiveness Index

In FY 2011, USAID STAR Plus and VCCI developed the Ministerial Effectiveness Index (MEI) to measure public perception of how well ministries were carrying out their responsibilities and, but publicizing their ranking, to encourage them to improve. The concept is very similar to the highly successful Provincial Competitiveness Index.

More than 200 business associations were surveyed for the first MEI. The results, which were released in December 2011, showed that the performance of most ministries was mediocre. Since

then, USAID STAR Plus and VCCI modified the procedures to include more hard data (e.g. timeliness of laws and regulations vis a vis approved schedules, consideration of public comments, administrative review procedures). It will also use PCI data to validate MEI findings on certain issues. The MEI has the support of the Politburo and VCCI agreed to substantially increase their contribution to the effort to reduce their dependence on donor support. There is good evidence to suggest that the MEI is already having an impact. The Ministry of Transportation and the Ministry of Finance have both met with VCCI to discuss how they can improve their MEI scores after the MEI results were shared with the Prime Minister. They also sent formal instructions to all reporting agencies under their jurisdiction to take steps to improve their scores. The results of the second MEI will be available in November 2012.

IR 3: Sound Macroeconomic Policy & Financial Sector Regulation

Sub IR 3.1: Financial Sector Regulation

Codification of Banking Regulations

Currently, it is almost impossible to determine what the currently valid and enforceable regulations governing the banking sector are without a long, expensive research effort by legal experts. In FY 2011, USAID STAR Plus conducted a series of technical discussions with the Legal Department of the SBV and engaged a private database company to work with the SBV on this exercise. By the end of the year, the structure of the “Banking Code” had now been agreed upon. In FY 2012, the team worked with the law database company to determine what the currently valid and enforceable legal provisions are for the SBV. By the end of FY 2012, the number of LNDs had been reduced from almost 2,000 to 568. The success of the pilot exercises has generated considerable interest on the part of other organizations, including the Ministry of Home Affairs, the Ministry of Finance, the Supreme People’s Procuracy and the Ministry of Agriculture and Rural Development. The effort received a major boost when the Prime Minister issued a Directive on September 28, 2012 that instructed all ministries to begin codifying their LNDs. The Prime Minister also ordered the MOJ to develop software and procedures to accomplish this important task. In recognition of the pioneering work she has done in this field, the Minister of Justice appointed USAID STAR Plus legal program officer, Phan Cam Tu, to be part of the MOJ team to draft a decree to implement the Prime Minister’s Directive and help guide the government-wide effort.

Improved Secured Transaction Operations

In late 2011, USAID STAR Plus and the Ministry of Justice hosted a forum for 170 bankers, lawyers, notaries, enterprises and local registration officials to discuss how to improve secured transactions with officials from the MOJ, SBV and the Ministry of Natural Resources and Environment (MONRE). The business community had many worthwhile recommendations as to how the regulatory and institutional problems with the current system could be resolved in order to facilitate access to finance through secured transactions, especially those related to land. The Government subsequently adopted a new Decree on Secured Transactions which incorporated many of the forum participants’ recommendations.

Sub IR 3.2: Improved Monetary and Fiscal Policy

Financial Stability Report and Early Warning System

The National Financial Supervision Committee, a new body that reports directly to the Prime Minister requested USAID STAR Plus assistance in developing the country's first financial stability report. Former IMF economist, Dr. Phan Chi and former central bank governor, Peter Nicholl provided extensive advice to the Committee on the report. Both of them have considerable experience preparing such reports for other countries. The Financial Stability Report is intended to be an annual document and, once it has been shared with the Prime Minister, it is intended to be a public document. This is a major departure from the practice in the State Bank of Vietnam, where such information is closely guarded. The approach of the Committee seemed to be a major departure from past practices. Unfortunately, even though the first draft was completed in June 2012, it has not been released and it seems unlikely to ever be released due to the sensitivity surrounding Vietnam's banking problems. Governor Nicholl advised the State Bank of Vietnam on how to improve the Financial Early Warning System they developed with assistance from USAID, but some SBV officials wish to make the system much more complicated than the systems used by New Zealand and Australia in spite of the difficulty in getting data and the strong evidence that complicated systems do not produce better results. Similar efforts on behalf of the National Financial Steering Committee were initially enthusiastically accepted, but in subsequent months, the Committee staff adopted the SBV approach of being non-transparent and wanting to construct an overly complicated system that would be dependent on data that is not available. Fifteen officials and researchers from the Ministry of Planning and Investment and some private banks were also trained in the development of an early warning system as well as practical tools that can be used to conduct research and analyses on economic issues of concern to policy makers. The MPI, the Financial Supervision Steering Committee and the State Bank of Vietnam are all using their newly acquired knowledge to prepare reports to high level policy makers, but the reports are closely guarded and for internal consumption only, so it is difficult to say how much impact they have on decision making.



Conference on Macroeconomic Challenges, Liquidations and Solutions for Enterprises

Budgeting and Financial Forecasting

In FY 2012, USAID STAR Plus conducted several training programs for officials from the Ministry of Finance, the Ministry of Planning and Investment, the National Financial Supervision Commission, academics and others on budgeting, financial forecasting and the use of financial early warning systems. For the most part, these courses were based on simplified versions of the International Monetary Fund's forecasting tools for macroeconomic analysis. In some cases, courses were offered for trainers of trainers, so the number of people reached went well beyond the number enrolled in the programs. In the case of one course, the results of a class exercise were immediately used to prepare the CY 2012 budget, so the impact was immediate.

Promoting Public Discussion of Macroeconomic Policies

Throughout the year, USAID STAR Plus supported forums on current macroeconomic issues and challenges. Among other things, topics included restructuring the banking system, restructuring SOEs, the declining real estate market, the need for a new growth model, public investment and Resolution 11 (to reduce the rate of inflation). From time to time, USAID STAR Plus provided the Office of the Government short policy briefs on topics



Discussion of Macroeconomic Policies

chosen by them. These were circulated to top policy makers and actively considered. While the discussions were all internal to the OOG, the Project was told that the papers were “of great assistance to the top leadership in their discussions of monetary and fiscal policy.

III. LESSONS LEARNED AND PROJECT IMPLEMENTATION

Challenges and Opportunities

Detailed information about individual activities undertaken in FY 2012 is available in the weekly and monthly reports provided by USAID STAR Plus. These are all available online from USAID's Development Experience Clearinghouse (DEC). Annex 1 also provides a summary of project performance against the project workplan for FY 2012. It should be noted that it was never the view of the Steering Committee that all activities in the Annual Work Plan could be completed during the year. Nevertheless, an examination of Annex 1 will show that the vast majority of requests for assistance were either completed or begun.

An important factor in the success of the Project was the relationship with the Ministry of Justice. After some initial difficulty in the first year, cooperation with the International Relations Department of the Ministry of Justice improved greatly. The choice of the MOJ as the official home for the USAID STAR Plus Project still results in a bias toward MOJ activities, which may not reflect the priorities of the Government broadly, but we were still able to work with a number of counterparts outside the MOJ. We were also successful in choosing MOJ activities to support that had great potential for widespread impact while disregarding a number of other requests for assistance in low priority areas.

The positive effects of a successful Trans Pacific Partnership Free Trade Agreement negotiation are, according to independent experts, enormous, both in terms of increased trade flows and impetus of political reforms. Consequently, support for the Trans Pacific Partnership FTA negotiations was a very high priority throughout the year. Significant progress was made in increasing understanding of the economic impact of the TPP on Vietnam and other TPP partners; government procurement; technical barriers to trade, investment dispute resolution mechanisms and identification of significant gaps in Vietnam's legal framework and customs.

Nevertheless, the difficulty in communicating with USTR on many topics (environment, labor, services, etc.) was a significant impediment. The secrecy surrounding the text of the TPP chapters also presented great challenges. Without access to the actual wording, we were forced to use proxy documents which may or may not accurately reflect what is being discussed in the negotiations. It should be noted that the US Congress has also expressed frustration with their inability to know what is being negotiated.

A similar situation exists with respect to the Vietnamese counterparts charged with TPP negotiations. There is a tremendous need to build capacity in organizations like the Ministry of Industry and Trade, but the human resources are stretched so thin that it was very difficult to engage with them because they were either attending a TPP negotiation or preparing for the next round. The situation is likely to get worse in FY 2013 when the same personnel add an FTA with the European Union to their workload.

Resource constraints forced us to cut back sharply in three other areas. First, support to the Ho Chi Minh Academy was stopped. This was unfortunate because it would have provided access to provincial leaders, not just faculty members. The Ministry of Justice, at first, opposed working with the Academy. Their resistance was overcome, but the resources required to address their needs

exceeded those available to the Project. A second area that showed considerable promise was the State Audit Agency. They are potentially an important player in reducing corruption in state institutions. They are very interested in developing a long-term relationship with the Government Accountability Office (GAO) in Washington. Their initial interest is in financial audits, but if their staffing situation improves, they would like to become more involved in program impact audits. This may be an area the Embassy might wish to explore if State has funding for anti-corruption initiatives. The third area was the establishment of a commodity futures trading board. This was one of the highest priorities for the Ministry of Industry and Trade. The Chicago Board of Trade was, according to MOIT, very interested in providing support to set up an commodities futures trading system, but when we contacted them, their level of interest was low.

Due to an expected reduction in the Project budget, we instituted a number of measures to reduce costs. This resulted in complaints from some counterparts, such as the National Assembly, that are used to donors providing a higher standard of accommodation, travel and more generous per diem. It would be helpful to have a dialogue among donors to reach some agreement on the level of support that is provided to counterparts. At the moment, the differences are so great, that some counterpart engagement may be driven more by financial considerations than by interest in the technical aspects. The problem is much less acute the farther one is from Hanoi, so it is likely that greater engagement at the provincial level, where appropriate, would lead to greater impact.

We are pressing counterparts to provide a large share of the cost whenever possible. The Department of Customs, the Ministry of Foreign Affairs, STAMEQ, certain provinces in the South and the Ministry of Justice have been forthcoming. In the case of MOFA, they agreed to cover 90% of all costs for one program. To the extent that we can, we are encouraging generous counterpart contributions in order to make our budget go farther and to ensure there is sufficient counterpart commitment to the activity.

Another obvious, but often overlooked factor is the importance of long-term engagement on various issues. Efforts to address intellectual property rights protection, for example, showed great progress in FY 2012. There is still considerable room for improvement, but as several panelists noted at a recent American Chamber of Commerce event, the progress that has been made over the past decade has been enormous. Constant engagement was necessary, though. Without a long-term commitment to difficult and complex issues, meaningful change is unlikely.

To a great extent, the success of the Project in the past and in the future will depend on political factors that are beyond the control of any donor. The relationships that have been built up over the past 11 years do provide USAID with an opportunity to influence political decisions, though. In a recent paper exploring Vietnam's transition to a market economy, Jonathan Pincus, Dean of the Fulbright economics Training Program in Ho Chi Minh City, identified the huge role of SOEs and their close ties to political leaders as one of the biggest obstacles to sustained economic growth. To address the problem, he called for the introduction of greater competition, even competition among SOEs. To achieve that will require "the creation of independent regulatory agencies and courts of law that are shielded from the influence of large state firms and the Communist Party. And it would require greater transparency, including enforceable codes of corporate governance that mandated independent directors and the de-politicization of personnel decisions." Significant progress has been made, especially with regard to transparency and judicial independence, but a sustained effort will be needed in the future to address these needs.

Staffing

In FY 2012 there were 3 changes in staffing. Mrs. Lan Bui replaced Dr. Phan Tra in November 2011 as the staff Economist. Dr. Tra is still associated with USAID STAR Plus as a short-term expert based in Ho Chi Minh City. Mrs. Nguyen Linh, a Legal Program Officer left in July 2012. She was replaced in August 2012 by Ms. Phuong Vu. The Chief Legal Advisor, John Bentley, left the full-time staff in July 2012. Plans to hire a full-time communications officer to deal with the significant reporting requirements were canceled in anticipation of a budget reduction. The Project currently has a full-time staff of 14 persons, of which six are in administrative or support roles.

Budget

The 3-year budget for the Project outlined in the Task Order was \$11,736,866.00 and the project completion date is September 30, 2012. However, due to the expiration of the GBTI II Indefinite Quantity Contract, we assume that the life of the project will not go beyond August 31, 2013. Furthermore, we anticipate that the contract ceiling will be reduced by approximately \$1.5 million in the final year of the contract to a total of \$10,222,624.00. At the end of FY 2012, expenditures totaled \$7,658,735.24 or 65.25% of the Task Order ceiling at with 66.6% of the project life completed. If the budget is reduced to expected levels in FY 2013, however, total expenditures would have been 74.92% of the budget.

ANNEX 1: STATUS OF ACTIVITIES APPROVED IN FY 2012 WORKPLAN

No.	Areas of activities (under the Project Document)	Proposed FY 2012 Activities	Sub Immediate Result	Remarks
1. Supporting Law Implementation				
1	Support MOF (Dept. for Int'l Cooperation) to implement integration commitments in charge	Supporting MOF in the implementation of the Law on Import-Export Duties: organizing workshops and surveys to gather comments on adjusting the Tariff in accordance with WTO roadmap	1.1	Completed
2	Support MOF (Dept. for Int'l Cooperation) to implement integration commitments in charge	Supporting MOF in organizing workshops to exchange international experience in implementing the Law on Independent Audit	1.1	No activity
3	Supporting MOST; MOCST; MOJ in implementing the laws on IP protection	Supporting MOST in developing a research project; and organizing a workshop on evaluating and summing up the legal documents on IP	1.1	Completed
4	Supporting MOST; MOCST; MOJ in implementing the laws on IP protection	Supporting MOST in developing the Action Plan on Cooperation in IPR infringement Prevention and Elimination for the period of 2011 – 2015	1.1	Completed
5	Supporting MOST; MOCST; MOJ in implementing the laws on IP protection	Supporting MOST to propagate and popularize laws on IPR enforcement for the business community	1.1	Completed
6	Supporting MOST; MOCST; MOJ in implementing the laws on IP protection	Supporting MoCST in looking for experiences and providing materials relating to implementation of international commitments in cinematheque copyright as grounds for the preparing of the Recommendations on issuance of legal normative documents on cinematheque copyright	1.1	Completed

7	Supporting MOST; MOCST; MOJ in implementing the laws on IP protection	Supporting MoCST in looking for experiences and providing materials relating to implementation of international commitments in authorship right and IPR in international exhibitions and fairs as grounds for the preparing of the Recommendations on issuance of legal normative documents on organizing international exhibitions and fairs.	1.1	Completed
8	Supporting MOST in implementation of legal normative documents on TBT	Introducing US regulations on transparency, standards and technical regulations and implementation regimes	1.1	Completed
9	Supporting MOST in implementation of legal normative documents on TBT	Supporting implementation of Law on Standards and Technical regulations and Law on Quality of goods and products (organizing workshops on development and evaluating standards and technical regulations; the activities of the technical committees, inspecting the quality of goods and products in circulation in the market and for import-export)	1.1	Completed
10	Supporting MOST in implementation of legal normative documents on TBT			Completed
11	Supporting MOST in implementation of legal normative documents on TBT	Organizing Conference(s) to propagate some technical regulations, and standards so that enterprises may study and apply on their own products and goods in the process of production and circulation	1.1	Completed
12	Supporting SBV in implementing the laws on finance in order to improve transparency, stability of the macro economy and for international integration	Reviewing and systemizing legal norms in its scope of State management via workshops, training courses, development of database, software, material compiling and publishing	2.4	Underway
13	Supporting SBV in implementing the laws on finance in order to improve transparency, stability of the macro economy and for international integration	Assessing impacts of policies on macro economy management and integration issued in the process of implementation of the Law on SBV, Law on Credit Institutions and Resolution 11/NQ-CP of the Government in 2011 by way of organizing workshops, providing experts and researches	2.2	Completed
14	Supporting SBV in implementing the laws on finance in order to improve transparency, stability of the macro economy and for international integration	Assessing impacts of participation in free trade agreements of the banking system of Vietnam relating to the openness of banking services in Vietnam	2.1	No activity

15	Supporting MPI in implementing Law on Investment, Law on Enterprises	Studying on solutions on improving capacity of provincial-level investment management apparatus in the context of international economic integration by ways of organizing researches, surveys and workshops, training, including survey on implementation of the Law on Investment and Law on Enterprises	1.1	No activity
16	Supporting MOFA to study, assess the implementation and orientations for further bettering 2005 Law on Signing, Participation and Implementation of International Treaties	Supporting MOFA to develop and popularize a handbook providing guidelines on activities relating to international treaties and international agreements	1.1	Completed
17	Supporting MOFA to study, assess the implementation and orientations for further bettering 2005 Law on Signing, Participation and Implementation of International Treaties	Developing a software for database of international treaties and international agreements	2.4	Underway
		<i>NA's Office</i>		
18	Supporting NA's Committees, NA's Office and OOG, MOJ in improving efficiency of implementation and supervision of law implementation regarding international economic integration by Vietnam	Exchanging international experiences relating to implementation of Law on Organization of the NA and the Law on Supervision of the NA	2.3	Completed
		<i>OOG</i>		
19	Ditto	Implementing electronic official gazette	2.4	Completed
20	Ditto	- Supporting relating to software installation, use and provision		Completed
21	Ditto	- Providing experts, advices and reference materials		Completed
22	Ditto	- Developing and standardizing database		Completed
23	Ditto	- Supporting activities to survey and examinations in localities in the whole nation.		Completed
24	Ditto	- Supporting the organization of workshops		Completed
		<i>MOJ (National Office for Registration of Secured Transactions)</i>	3.1	

25	Ditto	Organizing dialogue for a between credit institutions and management agencies and secured transaction registrars;	3.1	Completed
26	Ditto	Developing projects, organizing surveys and workshops to gather inputs for the draft project on organizing and operating the national database of secured transactions;	3.1	Completed
27	Ditto	Compiling a set of documents for training courses on capacity building in secured transaction registration (focusing on newly issued documents on secured transaction registration).	3.1	No activity
28	Ditto	Organizing 01 training course in Hanoi for key persons using the set of documents mentioned above, with filming of the training course for distributing to ministries, agencies and localities.	□	No activity
29	Ditto	Providing readily available documents relating to international trade laws to Enterprises' Legal Club (MOJ) to publish on the club's and other relevant websites.	1.1	No activity
30	Ditto	Supporting MOJ (Dept. for State Compensations) in implementation of Law on State Compensation Responsibilities	2.1	No activity
31	Ditto	- Awareness raising for State officers and the people regarding Law on State Compensation Responsibilities by compiling and distributing propaganda documents to each group of subjects; organizing training courses for State officers		No activity
32	Ditto	- Organizing refreshment training courses for those involved in legal proceedings of State compensations		No activity
33	Ditto	Compiling and issuing Handbook on Arbitration Regulations and Skills (Dept. for Justice Assistance)	2.2	No activity
34	Ditto	Organizing 02 training courses on laws and skills for arbitrators based on the Handbook (the Project will only support part of the expenses of the training courses) (Dept. for Justice Assistance)	2.2	Completed

35	Supporting MOJ, MOIT, MPI in negotiation, participation and implementation of some international treaties such as ICSID, Vienna Convention on Contracts for the International Sale of Goods (CISG) etc.... in order to implement Vietnam's international trade commitments and to promote international trade	Supporting MOIT in its study on participation in Vienna Convention on Contracts for the International Sale of Goods by assisting to have a Vietnamese translation of the interpreting documents of the Convention (UNCITRAL's set of document) and interpreting documents of the Convention's articles	1.1	Completed
36	Supporting MOJ, MOIT, MPI in negotiation, participation and implementation of some international treaties such as ICSID, Vienna Convention on Contracts for the International Sale of Goods (CISG) etc.... in order to implement Vietnam's international trade commitments and to promote international trade	Supporting MOJ (Dept. for Int'l Laws) in its study and development of a plan of legalizing Vietnam's WTO commitments that cannot be directly implemented: via providing independent experts, organizing workshops, dialogues	1.1	Completed
37	Supporting MOJ, MOIT, MPI in negotiation, participation and implementation of some international treaties such as ICSID, Vienna Convention on Contracts for the International Sale of Goods (CISG) etc.... in order to implement Vietnam's international trade commitments and to promote international trade	Supporting MPI in assessing impacts of BTA and WTO on attracting US investments in Vietnam after 10 years of implementation	1.1	No activity
38	Supporting VCCI in evaluating law implementation activities regarding international economic integration of Vietnam, thus helping to improve transparency and efficiency of the legal framework	Further bettering the research on assessment of efficiency of law implementation activities of State agencies relating to international economic integration.	1.1	Underway

39	Supporting VCCI in evaluating law implementation activities regarding international economic integration of Vietnam, thus helping to improve transparency and efficiency of the legal framework	Continuing to support the evaluation of the implementation of legal normative documents relating to economic integration	2.4	Underway
40	Supporting MOIT in implementing Commercial Law, Law on food safety	Studying the implementation of the Commercial Law regarding goods exchanges by ways of organizing trainings, training courses and workshops and providing experts to central, local officers and other people.	1.1	Completed
41		Studying the implementation of the Commercial Law regarding franchise by organizing workshops, training courses for central and local State management officers, enterprises and relevant associations	1.1	Completed
42		Implementing the Law on food safety, performing State management of goods subject to State management, and for the time being, focusing on technical assistance on State management based on risk management method regarding milk, by providing experts and organizing field trips and training courses	1.1	Completed
43	Supporting MOIT to implement the regime of self-certification of origin; and fighting against trade frauds regarding origins	Studying, developing and implementing the regime for self-certification of origins in Vietnam by way of providing experts, exchanging international experiences (US), organizing workshops, training courses	1.2	Underway
44	Supporting MOIT to implement the regime of self-certification of origin; and fighting against trade frauds regarding origins	Studying and developing the regime for fighting against trade frauds regarding origin and the regime for coordination among ministries and agencies	1.2	Underway
2. Supporting capacity building				
	Areas of activities (under the Project Document)	Proposed FY 2012 Activities		
1	Supporting SPC regarding refreshment trainings for judges and capacity building in hearing, especially in civil and commercial cases, including IP and	- supporting to organize training courses to improve hearing skills in business and commercial cases (Forwarded from 2011 Plan)	2.2	Underway

	investment			
2	Supporting SPC regarding refreshment trainings for judges and capacity building in hearing, especially in civil and commercial cases, including IP and investment	- Developing the outline projects and hiring experts to draft a Handbook on Hearing of business-commercial cases	2.2	Underway
3	Capacity building for procurators in settlement of IP cases; and awareness raising for procurators regarding legal issues to meet with integration requirements	Studying US experiences in IPR protection; settlement of IP-related disputes; studying and exploring the possibilities to cooperate in training for the purpose of capacity building for officers regarding IPR enforcement and implementation of international law to meet with integration requirements	1.1	No activity
4	Capacity building for procurators in settlement of IP cases; and awareness raising for procurators regarding legal issues to meet with integration requirements	Studying experiences of some regional countries in IPR protection by organizing workshops on international experiences in the implementation of law and IPR protection	1.1	No activity
5	Supporting OOG in capacity building for its officers, including legal officers and State apparatus management officers in implementation of trade agreements, WTO and other trade agreements; studying applied economics; managing the official gazettes and developing e-Government	Providing updated documents on US economic and trade policies, international economic integration	1.1	Completed
6	Supporting OOG in capacity building for its officers, including legal officers and State apparatus management officers in implementation of trade agreements, WTO and other trade agreements; studying applied economics; managing the official gazettes and developing e-Government	Providing independent reports on Vietnam's economy and trade and bilateral trade statistics	1.1	Completed

7	Ditto	Organizing dialogues on trade and economic issues; the organizational structure of the State and the Government, the organizational model and regime for settlement of cross-sector issues, policies for HR development and urban planning	2.1	Completed
8	Ditto	A study tour on international experiences regarding organization of the State apparatus, public services, e-Government, and implementation of international commitments	2.1	Completed
9	Ditto	Providing experts, documents regarding enterprises and investment of State's funds for business purpose	2.1	No activity
10	Ditto	Supporting the Government's portal (OOG) regarding capacity building to implement international commitments regarding transparency and publicity	2.4	Underway
11	Ditto	Supporting the implementation and organizing training courses on regulations on the official gazette and electronic official gazette at the central and local levels;	2.4	Completed
12	Ditto	Surveying status of implementing electronic official gazettes in some provinces;	2.4	Completed
13	Ditto	Developing uniform database of official gazettes;	2.4	Completed
14	Ditto	Capacity building in gathering inputs from the people and enterprises on draft legal normative documents, and policies on publishing in the portal	2.4	Underway
15	Supporting MPI in capacity building for foreign investment management and macro economy management	Organizing training courses for foreign investment management officers at the central and local levels for capacity building in terms of gathering and processing information for analysis, management and making of policies	1.1	Completed
16	Supporting MOF in capacity building management and development of financial service market (securities, insurance, accounting and auditing); new taxes, customs and other financial policies in charge	Supporting by organizing trainings on skills to examine, consult and determination of the values; measures to fight against price-based trade frauds.	1.1	Completed

17	Supporting MOF in capacity building management and development of financial service market (securities, insurance, accounting and auditing); new taxes, customs and other financial policies in charge	Supporting the studies on implementation of Convention on the Harmonized Commodity Description and Coding System, developing software to classify goods and exchanging international experiences relating to e-customs development and implementation to satisfy the economic integration requirements	1.1	Completed
18	Supporting MOF in capacity building management and development of financial service market (securities, insurance, accounting and auditing); new taxes, customs and other financial policies in charge	Organizing workshops, and trainings to facilitate experiences in information gathering, analysis and processing for the development of a specialized database, risk management, intelligence information, database in IPR control and protection and fighting against counterfeit goods	1.1	Completed
19	Supporting MOF in capacity building management and development of financial service market (securities, insurance, accounting and auditing); new taxes, customs and other financial policies in charge	Supporting capacity building, management, inspection and supervision of the securities market for officers of SSC: trainings and capacity building in management, inspection and supervisions of the securities market for SSC officers	1.1	Completed
20	Supporting MOF in capacity building management and development of financial service market (securities, insurance, accounting and auditing); new taxes, customs and other financial policies in charge	Supporting trainings for officers involved in management and provision of cross-border insurance services: 01 training course on knowledge and experiences in management and provision of cross-border insurance services	1.1	No activity
21	Supporting MOIT in capacity building for its officers and in propagating and popularizing laws to the business community on trade safeguard, competition and consumer protection	Supporting implementation of Law on consumer protection	1.1	Completed
22	Supporting MOIT in capacity building for its officers and in propagating and popularizing laws to the business community on trade safeguard, competition and consumer protection	Training Course on "Exploring WTO provisions relating to anti-dumping regulations" for trade safeguard officers of Vietnam	1.1	Completed

23	Supporting SBV in capacity building in macro economy management and the regulation of the financial sector to ensure stability of the macro economy and sound financial conditions for economic integration	Short domestic training courses on economic policy analysis, forecast of macro economy and monetary criteria, and banking activities;	3.2	Completed
24	Supporting SBV in capacity building in macro economy management and the regulation of the financial sector to ensure stability of the macro economy and sound financial conditions for economic integration	Developing risk warning models for the macro economy, monetary and banking activities: providing experts who will provide remote or on-site consultancy	3.2	Completed
25	Supporting SBV in capacity building in macro economy management and the regulation of the financial sector to ensure stability of the macro economy and sound financial conditions for economic integration	Organizing workshops and training courses on opening the financial market, international law, especially international laws and standards in monetary and banking activities	3.2	No activity
26	Supporting SBV in capacity building in macro economy management and the regulation of the financial sector to ensure stability of the macro economy and sound financial conditions for economic integration	Providing experts who will provide remote or on-site consultancy on development of a database system for the macro economy, monetary and banking activities for information analysis and announcement.	3.2	No activity
27	Supporting MOST; MoCST in training and capacity building in IPR enforcement	Supporting MoCST in studying a solution to prevent right violations in the digital environment		Completed
28	Supporting MOST; MoCST in training and capacity building in IPR enforcement	Supporting MOST to organize short training courses for capacity building its officers relating to economic integration in the field it's in charge	1.1	Completed
29	Supporting MOST; MoCST in training and capacity building in IPR enforcement	Supporting MOST in surveying and developing the draft outlines of the project on establishment of a national coordination agency for IPR protection and enforcement	1.1	Completed

30	Supporting MOST; MoCST in training and capacity building in IPR enforcement	Supporting MOST in compiling and issuing specialized documents on IPR enforcement experiences of WTO member countries	1.1	Completed
31	Supporting MOST; MoCST in training and capacity building in IPR enforcement	Supporting MOST in preparing the Collection of analysis of IPR disputes over 15 years of 1995 – 2010	1.1	Completed
32	Supporting MOST; MoCST in training and capacity building in IPR enforcement	Supporting MOST in preparing the Handbook on IP regulations (to help the business community to protect their IP)	1.1	Completed
33	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Supporting legal activities of Ministries, agencies and localities (Dept. of General Issues on legal development)	1.1	Completed
34	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Compiling a legal handbook to guide legal officers on the provisions of Decree 55/2011/NĐ-CP dated 4/7/2011; developing a set of tools for improving legal activities.	2.4	Completed
35	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing specialized training courses for lecturers and experts on legal profession for legal officers of ministries, agencies and localities based on the handbook and the set of tools mentioned above.	2.4	Completed
36	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Developing a project on capacity building for legal officers of ministries, agencies and localities.	2.4	Completed
37	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Supporting the assessment of the implementation of the Law on Promulgation of Legal Normative Documents (at the central and local levels)	2.4	Completed
38	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	An information workshop on US constitutions and regulations	2.1	Completed

39	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Supporting MOJ (Dept. for International law):		No activity
40	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing workshops, training courses on legal profession to serve international economic integration, especially as related to WTO, TPP, ASEAN according to specific themes	1.2	No activity
41	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Developing a comprehensive project on dispute settlement between the Government and foreign investors	1.1	Completed
42	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Supporting MOJ (Dept. for Judicial Assistance):		Completed
43	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Studying to develop a commercial mediation model in Vietnam:	2.2	Completed
44	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	01 workshop in commercial mediation in Vung Tau	2.2	Completed
45	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Developing the project on commercial mediation model	2.2	Completed
46	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	01 overseas study tour on commercial mediation model (subject to the Project's resources)	2.2	No activity

47	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Supporting Enterprises' Legal Club in capacity building for the Club's legal officers and those legal officers of member businesses in legal issues relating to economic integration, and international issues: providing experts and reference materials according to specific themes upon request of the Enterprises' Legal Club relating to economic integration	1.1	No activity
48	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Supporting MOJ (Justice Institution)		Completed
49	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing workshops, training courses named "Capacity building in legal consultancy" for the Centre for legal consultancy of the Justice Institution	2.2	Completed
50	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Improving quality of lawyer training to serve the integration cause	2.2	Completed
51	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing dialogues, lessons to explore US lawyer practicing skills	2.2	Completed
52	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing meetings to exchange experiences among US and Vietnamese experts in training lawyers for international economic integration (either by a survey/research or on-spot dialogues)	2.2	Completed
53	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing lessons on civil and criminal litigation, juries, awards and enforcement (Experts from SMU law school, Dedman, US to prepare the curriculums)	2.2	Completed
54	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing trainings on Laws on purchase of goods and contracts (Experts from SMU law school, Dedman, US to prepare the curriculums)	2.2	Completed

55	Supporting MOJ in training and capacity building for officers of the MOJ and other relevant agencies legal issues in economic integration	Organizing trainings on international economy and role of lawyers in daily transactions (Experts from SMU law school, Dedman, US to prepare the curriculums)	2.2	Completed
56	Supporting MOJ in training and capacity building in management and coordination international cooperation to serve international economic integration	Assessing the training demand relating to management and coordination of international cooperation in law to serve international economic integration.	2.2	No activity
57	Supporting MOJ in training and capacity building in management and coordination international cooperation to serve international economic integration	Preparing training materials, training courses for capacity building relating to management and coordination of international cooperation in law to serve international economic integration	2.2	No activity
58	Supporting MOJ in training and capacity building in management and coordination international cooperation to serve international economic integration	Organizing training courses based on the training materials mentioned above	2.2	No activity
59	Supporting MOFA to conduct trainings on International economic integration for officers of the ministry and of localities on International economic integration	03 refreshment training courses for knowledge and skills to promote external economic activities for officers of MOFA, some other ministries, agencies and those in charge of foreign affairs of some localities.	1.1	Completed
60	Supporting NCIEC to strengthen the network of agencies involved in economic integration at the central and local levels by improving the provincial-level integration index and IT application to support information sharing, interaction and exchange with counterparts on a regular basis	Supporting implementation of software and database.	1.1	Underway

61	Supporting NCIEC to strengthen the network of agencies involved in economic integration at the central and local levels by improving the provincial-level integration index and IT application to support information sharing, interaction and exchange with counterparts on a regular basis	Translating a book on FTAs	1.1	No activity
62	Supporting capacity building by organizing consultancy events for NCIEC and VCCI on economic integration related issues and policies	Supporting NCIEC/VCCI to organize workshops to gather comments on the development of a consultancy regime for the development and implementation of international commitments.	1.1	No activity
63	Supporting HCM Academy in capacity building for lecturers and trainings for local officers on economic integration	Supporting the Academy in training courses for capacity building, studying, teaching and popularizing institutions for economic integration for the lecturers.	1.1	No activity
64	Supporting HCM Academy in capacity building for lecturers and trainings for local officers on economic integration	Supporting training course(s) to update on international integration for officers at the provincial level	1.1	No activity
65	Supporting HCM Academy in capacity building for lecturers and trainings for local officers on economic integration	Supporting in-depth training courses for law and economic lecturers	1.1	No activity
66	Supporting HCM Academy in capacity building for lecturers and trainings for local officers on economic integration	Organizing scientific dialogues in different specialized fields of economic integration	1.1	No activity
67	Capacity building for Hanoi Law University in bachelor-level training in International trade law	Developing a curriculum for bachelor-level training in International trade law	2.2	Completed
68	Capacity building for Hanoi Law University in bachelor-level training in International trade law	A study tour for Hanoi Law University to study experiences in teaching international trade law in the US; and legal English training (if resources available)	2.2	No activity
69	Capacity building for Hanoi Law University in bachelor-level training in International trade law	Providing and developing study materials in Vietnamese and English at the international standard (or using those study material commonly in use in the US), directly supporting the curriculum: In particular, supporting translation of the following materials:	2.2	No activity

70	Capacity building for Hanoi Law University in bachelor-level training in International trade law	- Contract law – Themes for the twenty – first century, Oxford University publishing house, by Roger Brownsword (332 pages);	2.2	No activity
71	Capacity building for Hanoi Law University in bachelor-level training in International trade law	- Just exchange theory of contract, The Economic of Legal relationships publishing house, by F.H. Buckley (206 pages);	2.2	No activity
72	Capacity building for Hanoi Law University in bachelor-level training in International trade law	- Standard Contract Terms in Europe – A Basic for and a Challenge to European Contract Law, Wolters Kluwer Law & Business publishing house, by Hugh Collins (290 pages).	2.2	No activity
73	Capacity building for Hanoi Law University in bachelor-level training in International trade law	Providing experts: inviting US experts/lecturers/lawyers (currently working in Vietnam/the US) to teach or teach parallel with Hanoi Law University lecturers, for International trade law students and lecturers, after the specific timing, contents and forms of lecturing have been proposed by Hanoi Law University	2.2	Completed
74	Capacity building for Hanoi Law University in bachelor-level training in International trade law	Supporting to organize specialized workshops, providing materials on capacity building in specialized English training for Lecturers at Hanoi Law University.	2.2	No activity
75	Supporting capacity building in supervision of finance and macro economy for National Committee for Finance Supervision	Studying the models and modes of regulation of the activities of finance supervision of foreign countries;	3.1	Completed
76	Supporting capacity building in supervision of finance and macro economy for National Committee for Finance Supervision	Training the methods for gathering and processing information on macro supervision of the financial market;	3.1	Completed
77	Supporting capacity building in supervision of finance and macro economy for National Committee for Finance Supervision	Training the methods for researching and assessing policies;	3.2	Completed
78	Supporting capacity building in supervision of finance and macro economy for National Committee for Finance Supervision	Supporting the development and operation of the early warning systems;	3.2	Completed

79	Supporting capacity building in supervision of finance and macro economy for National Committee for Finance Supervision	Supporting the development and operation of the model for testing exchange and monetary pressure;	3.2	No activity
80	Supporting capacity building in supervision of finance and macro economy for National Committee for Finance Supervision	Training and capacity building in macro safety supervision of the financial market for the officers of National Committee for Finance Supervision;	3.2	Completed
81	Supporting the State Auditing Agency in capacity building in auditing of public debts	Studying and exchanging foreign experiences and capacity building in auditing of public debts by organizing workshops, and providing experts	2.3	No activity
3. Supporting Vietnam's further integration				
	Areas of activities (under the Project Document)	Proposed FY 2012 Activities		
		<i>MOIT</i>		
1	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Supporting and capacity building for MOIT as the contact agency for Vietnam in TPP negotiations by way of providing experts, organizing researches, workshops, training courses, and providing TPP – related materials	1.2	Completed
2	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Supporting activities of researching and assessing impacts of TPP participation on all socio-economic aspects of the Vietnam by ways of organizing workshops, dialogues, training courses	1.2	Completed
3	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Providing information, reference materials, and experts on TPP – related issues upon specific requests of OOG;	1.2	Completed
4	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Organizing technical dialogues to exchange and share issues newly arising relating to Vietnam's macro economy management and relating to US's trade management	3.2	Completed
		<i>MOJ</i>		

6	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Studying TPP-related legal issues (general legal issues of TPP, transparency, dispute settlement; reviewing and ensuring consistency of regulations.	1.2	Completed
7	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Assessing impacts of TPP on Vietnam's legal system	1.2	Completed
		<i>MPI</i>		
8	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Providing experts	1.2	Completed
9	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Studying, exchanging international experiences in the List of Reservations	1.2	Completed
10	Supporting MOIT, OOG, MPI and relevant agencies involved in the negotiations of TPP and BIT	Organizing workshops to gather comments from ministries, agencies and enterprises as relevant regarding specific contents of TPP (in Hanoi, Danang and HCMC)	1.2	Completed
11	Supporting MOJ in negotiation, participation and implementation of international treaties relating to international economic integration	Studying the participation of international convention on international law (project on participation of the Hague Conference on Private International Law, the project on participating the Hague Service Convention (proposed for submission to the Government in 2013) the Hague Convention Abolishing the Requirement for Legalization for Foreign Public Documents (proposed for submission to the Government in 2012): by ways of organizing workshops, research papers by independent experts, defend reports, surveys; organizing studies on the possibilities of developing a judicial assistance agreement in the civil field between Vietnam and US	1.1	Completed

ANNEX 2: SUMMARY OF RATINGS BY TRAINING COURSE PARTICIPANTS

Where possible, at the conclusion of every training program or workshop conducted by USAID STAR Plus we solicited feedback from the participants to determine whether they felt the program had met their needs. On a scale of 1 to 10, the average score for all events was 9.6. A total of 98% of the respondents said that the programs met their goals. 92% of participants said the program was either useful or very useful.

The detailed survey results are shown below.

Training and Workshop Evaluation Results		
Q1. The overall quality of the presentation was? (1 poor - 5 good)	Total	Percentage
Good	1723	84.50
Above average	266	13.05
Average	43	2.11
Below average	3	0.15
Poor	2	0.10
Total answered questions (A)	2039	99.90
Skipped question	12	
Weighted total points (B)	9816	
Weighted total score (C= B/A)	4.814125	
Conversion to 10 scale (Cx2)	9.628249	

Q2. Did the program meet your objectives?	Total	Percentage
Yes	2056	98.70379261
No	27	1.296207393
Total answered questions	2083	
Skipped question	19	

Q3. How useful is the program to your work?	Total	Percentage
Very useful	833	40.79
Useful	1051	51.47
Somewhat useful	131	6.42
Not useful	27	1.32
Total answered questions	2042	
Skipped question	26	

ANNEX 3: APPROVED COUNTERPARTS

- 1 **Ministry of Justice**
 - Current/Former Steering Committee
 - Department of International Law
 - National Agency for Secured Transaction
 - Judicial Assistance Department
 - International Relations Dept.
 - General Legal Affairs Department
 - Judicial Academy
 - Hanoi Law University
 - Administrative and Criminal Law Department

- 2 **Ministry of Industry and Trade**
 - Department of Multilateral Trade
 - Department of Domestic Market
 - Competition Authority

- 3 **Ministry of Science and Technology**
 - Directorate for Standards and Quality (STAMEQ)
 - Inspectorate
 - Management Training School
 - Legal Department.

- 4 **Ministry of Agriculture and Rural Development**
 - International Relations Department, SPS Office
 - Animal Health Department
 - Plant Health Department

- 5 **Ministry of Planning and Investment**
 - Public Procurement Agency
 - Monetary and Financing Policy Department
 - Academy for Development and Policy
 - Development Strategy Institute

- 6 **Office of the Government**
 - Vice Chair of the Steering Committee
 - Law Department
 - International Cooperation Department
 - State Administration and Civil Service Department
 - Official Gazette Department

- Administrative Department.

- 7 **National Financial Supervision Agency**

- 8 **Ministry of Finance**

- Customs Department and Tax Policy Department
- International Relations Dept. Customs
- IPR Enforcement Department, Customs
- State Securities Commission

9 State Bank of Vietnam

- Legal Dept.
- Statistics and Forecast Department

10 Ministry of Foreign Affairs

- General Economic Affairs Department
- Legal and International Treaty Department
- Diplomatic Academy

11 Ministry of Culture, Sport and Tourism

- Management training school

12 Ministry of Labor, War Invalid and Social Affairs

- International Relations Department

13 National Committee for International Economic Cooperation

14 National Assembly

- Foreign Affairs Committee
- Finance Committee
- Law Committee
- Information and Library Center

15 Ho Chi Minh Academy for Political and Administrative Development

16 Supreme People's Court

17 Supreme People's Procuracy

18 Vietnam Chamber of Commerce and Industry

19 Ho Chi Minh City WTO Center

ANNEX 4: SHORT-TERM TECHNICAL ASSISTANCE PROVIDED IN FY 2012

Name	Level of Effort (days)	Intermediate Result
Thi Thu Tra Pham	10.5	Economic and Financial Sector
Bjers, Erik	10	Home Office Support
Simmons-Benton, Anne	22	Home Office Support
Lehman, Sara	51	Home Office Support
Tauss, Virginia	1	Home Office Support
Bramm, Adam	8	Home Office Support
Hill, Jonathan	26	Home Office Support
Bentley, John (ICA)	41	Governance, Trade and Investment
Brooks, David	16	Trade and Investment
Carnevale, Cathy	19	Trade and Investment
Childers, Robert	16	Trade and Investment
Eizenstat, Jay	0	Trade and Investment
Frasure, William	48	Governance
Gantz, David	34	Trade and Investment
Hamill, Gail	6	Trade and Investment
Labuda, Janet	20	Trade and Investment
Lantz, Matthew	0	Trade and Investment
Lutter, Randall	11	Governance
Neel, Stephen	0	Trade and Investment
Nemeroff, Edward	7	Trade and Investment
Nicholl, Peter	30	Economic and Financial Sector
Nguyen, Xuan Thao	20	Trade and Investment

Pham, Chi Do	156	Economic and Financial Sector
Raymond, Richard	27	Trade and Investment
Riedel, Jim	54	Economic and Financial Sector
Rohwer, Claude	11	Economic and Financial Sector
Schooner, Steven	10	Trade and Investment
Shine, Richard	0	Governance
Strahota, Robert	0	Economic and Financial Sector
Taylor, James	4	Trade and Investment
Trachok, Rick	12	Trade and Investment
Toan, Phan Nguyen	108	Governance
Wallace, Clifford	6	Governance
Wilson, Dean	15	Trade and Investment
Wolff, Alan	15	Trade and Investment
Compa, Lance	0	Trade and Investment
Total	813	
Total Governance	193	
Total Economic and Financial sector	262	
Total Trade and Investment	219	

ANNEX 4: LIST OF EVENTS AND WORKSHOPS

Title	Number of people	Number of events	Intermediate Result
Seminar on Treaties Handbook	98	1	Trade and Investment
Partnership for Trade Facilitation Workshop 1: Advance Rulings in FTAs	103	1	Trade and Investment
Market Analysis Tool, Trade Map and Impact of TPP	55	1	Trade and Investment
Market Analysis Tools, Trade Map	43	1	Trade and Investment
IPR enforcement: preparation workshop for the Standing Committee of 168 Program	35	1	Trade and Investment
Drafting the IPR handbook for judges	21	1	Trade and Investment
Court Mediation	48	1	Governance
Negotiating and Signing FTAs - Experience and Reality	175	2	Trade and Investment
Workshop on commercial mediation	85	1	Governance
Roundtable Discussion: The Dynamics of Comparative advantage in Asia	11	1	Economic and financial sector
Workshop on reviewing The Law on Mutual Judicial Assistance	80	1	Trade and Investment
Training for Arbitrators (MOJ+USAID STAR Plus +Beyond WTO Project)	79	1	Governance
WTO's Government Procurement Agreement	37	1	Trade and Investment
Training on government procurement with Public Government Authority of MPI	41	1	Trade and Investment
Round table discussion: Open	10	1	Governance

Government, public participation			
Round table discussion : Interagency coordination of rulemaking, US experience	4	1	Governance
Training for local staff on investment disputes	138	2	Trade and Investment
Workshop on RIA and GRP	62	1	Governance
Costs and benefits of IPR Protection under FTAs can bring to Vietnam	112	3	Trade and Investment
Training for local staff on investment disputes	80	1	Trade and Investment
Workshop on investment disputes	86	1	Trade and Investment
Macroeconomic Challenges, Difficulty in Liquidity of the Economy, Solutions for Enterprises	86	1	Economic and financial sector
Roundtable Discussion: Growth Slowdown and solutions: Myths and Realities	NA	1	Economic and financial sector
Roundtable Discussion: Foreign Direct Investment (FDI) Analysis possibilities	NA	1	Economic and financial sector
Workshop on TBT Commitment in FTAs: Issues and Implementation	98	1	Trade and Investment
Workshop on TBT Commitments in FTAs: Issues and Implementation	88	1	Trade and Investment
Workshop on the Combined Law on Laws	54	1	Governance
Franchising: Challenges and Opportunities	118	1	Trade and Investment
Specialized court for IPR	126	2	Trade and Investment
Roundtable Discussion on Impact of Election on Public Investment and Budgeting	4	0	Economic and financial sector
Public Finance and Public Debt - Theory and Vietnam Situation	20	1	Economic and financial sector

Decentralization and relationship between central and local authorities	59	1	Governance
Decentralization and the relationship between central and local authorities	45	1	Governance
Curriculum development of some subjects relating to International Trade Law Program: IPRs in international trade for business, E-commerce and IPRs, IT Law	25	1	Trade and Investment
Lawyering skill for law students	60	1	Trade and Investment
Curriculum development on IPR in International trade for Business, E-Commerce and IPRs, IT law	20	1	Trade and Investment
Cinema policy seminar	120	2	Trade and Investment
Financial Programming	17	1	Economic and financial sector
Trans Pacific Partnership Agreement – Implications for Vietnam	93	1	Trade and Investment
Financial Stability and Economic Restructuring Workshop	60	1	Economic and financial sector
Opportunities and Challenges of TPP	117	1	Trade and Investment
Roundtable discussion on TPP: Research Sharing	33	1	Trade and Investment
Opportunities and Challenges of TPP	113	1	Trade and Investment
Roundtable Discussion on TPP	23	1	Trade and Investment
Roundtable discussion on TPP: Research sharing	NA	1	Trade and Investment
Roundtable Discussion on TPP: Research sharing	22	1	Trade and Investment
Customs issues in FTAs	22	1	Trade and Investment
Roundtable discussion on TPP	75	1	Trade and Investment
Training on Risk Assessment for Dairy Products	42	1	Trade and Investment
Training on IPR specialized Unit of customs	36	1	Trade and Investment

Public Debt Management	11	1	Economic and financial sector
Seminar on legal clinic education	46	1	Governance
Public Administration - US perspective	7	1	Governance
MOJ - TPP workshop	42	1	Trade and Investment
Financial Programming	34	1	Economic and financial sector
I/O Analysis and Application	22	1	Economic and financial sector
Financial Stability Report	50	1	Economic and financial sector
Establishing and Analyzing macroeconomic forecasting	50	1	Economic and financial sector
Enhance Forecasting and Financial Supervising Skills	68	1	Economic and financial sector
Vietnam Economy - 2012 Prospects - From the View of Medium-term Restructuring	34	1	Economic and financial sector
Non-conforming measures in cross border Trade in services & Investment in TPP Agreement	97	1	Trade and Investment
Consumer Protection Law and Legal documents for Consumer Protection Associations	101	1	Trade and Investment
Training on IP for enterprises from traditional trade villages	110	1	Trade and Investment
MEI dissemination workshop	166	1	Governance
Train the trainers on negotiation skills for DAV lecturers	25	1	Trade and Investment
Conference on Registration of Security Transactions	107	1	Economic and financial sector
Government's tasks and power in conducting economic management	50	1	Governance
US's Experiences on Constitution Development and Amendment	57	1	Governance
IPR enforcement for anti-counterfeiting	53	1	Trade and Investment

Consumer Protection Law for Consumer Protection Associations	88	1	Trade and Investment
Discussion on intellectual property and the rights to exploit information	138	1	Trade and Investment
Seminar on Criminal Procedure Law of the US	81	1	Governance
Understanding the US Criminal Procedure Law and Mood Court	81	1	Governance
Teaching methods on IP law	31	1	Trade and Investment
Copyright and e-commerce	73	1	Trade and Investment
Seminar on Understanding the US Criminal Procedure	50	1	Governance
MOU signing ceremony between Vietnam Customs and VACIP	75	1	Trade and Investment
Seminar on Understanding the US Civil Litigation	50	1	Governance
Evaluation of the implementation of the Resolution 11/2011 and Challenges of Restructuring Banking System	25	1	Economic and financial sector
Pathways to the US Market: Understanding SPS Requirements and the US Food Safety Modernization Act	194	2	Trade and Investment
Training on cinema policy in the context of integration	107	1	Trade and Investment
Training on IPR enforcement for Customs at borders	33	1	Trade and Investment
Consumer protection workshop	100	1	Trade and Investment
Training on IPR for Legal Officers	32	1	Trade and Investment
Workshop on Government Structure - (Minister's legal status)	50	1	Governance
Development of Strategy for Food Safety Law Implementation - Food Safety Risk Assessment Issue	83	2	Trade and Investment

Training on IPR enforcement for Customs at borders	35	1	Trade and Investment
State budget planning	20	1	Economic and financial sector
Workshop on Protection of Pharmaceutical Patents	60	1	Trade and Investment
Training on international integration for local staff of HCMA	36	1	Trade and Investment
Workshops on the most favored nation tariff	260	2	Trade and Investment
MOJ workshop on Hague Conference	47	1	Trade and Investment
Workshop on US Trade Mark law	101	1	Trade and Investment
IPR training for liaison officers	35	1	Trade and Investment
ITC Trade Map	39	1	Trade and Investment
Workshop on Protection of Pharmaceutical Patents	60	1	Trade and Investment
Training on ITC Trade Map: an effective trade analytical tool	30	1	Trade and Investment
Workshop on environment chapter in FTAs	88	1	Trade and Investment
Training on new ITC standards map & methodology for selection of private standards for products	115	1	Trade and Investment
Case Studies Training on coffee private standards	106	1	Trade and Investment
Workshop on Environment chapter in FTAs	88	1	Trade and Investment
Training the trainers on ITC standards map	40	1	Trade and Investment
Summary workshop on mutual judicial cooperation law and practice	63	1	Governance
Training on early macroeconomic warning system	15	1	Economic and financial sector
Total	6638	112	

Total (trade and investment	4857	74	Trade and Investment
Total (Governance)	1147	20	Governance
Total (Economic and Financial Sector)	634	18	Economic and financial sector
* Organizer: The project and the counterpart are organizers of the event.			
** Co-organizer: the project and the counterpart worked with a third party on organizing the event.			
*** Facilitator: the event was facilitated by the Project, but not organized by the project.			

SUMMARY

	Total Number of Participants	Total Number of Events	Intermediate Result
	6,638	112	
Total (Trade and Investment)	4,857	74	Trade and Investment
Total (Governance)	1,147	20	Economic Governance
Total (Economic and Financial Sector)	634	18	Macroeconomics and Financial Sector

ANNEX 5: LIST OF PRESENTATIONS AND WORKSHOPS

No.	Paper/Presentation Titles	Authors
1	Draft Handbook on International treaties	MOFA
2	Simplified Rules Process	Gail Hamlin
3	Textiles classification	Gail Hamlin
4	Resources to use in your classification work	Gail Hamlin
5	Advance Rulings Process	Gail Hamlin
6	Vietnam Classification	Gail Hamlin
7	Harmonized System International Trade Nomenclature	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
8	Trade Map - Competitive Map	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
9	Market Access Map Market Access and Trade statistics	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
10	Standards Map Comparative analysis and review of voluntary standards	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
11	TRADE MAP International Statistics Database – Overview	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
12	Vietnam Trade Performance Country Profile	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
13	Vietnam Trade Performance Sector Analysis	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
14	Bilateral Trade Performance Overall	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
15	Trade Map: A web-based trade flow analysis tool	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
16	Review of Vietnam's Textile Trade Performance Jerseys, pullovers, cardigans, waistcoats and similar articles (611020)	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
17	Trans-Pacific Strategic Economic Partnership Agreement	Joseph Wozniak, Manager and Gregory Sampson, Market Analyst
18	Draft Outline for IPR Handbook	Binh Nong - Legal Advisor of USAID STAR Plus Project
19	Court Connected Alternative Dispute Resolution Services	Hon. Patrick J. King
20	Negotiating and Signing FTAs - Experience & Reality: Foreign Business Perspectives	Fred Burke
21	A U.S. Private Sector View of Free Trade Agreements and the Trans Pacific Partnership	Alan Wolff
22	Providing Rules for International Trade in an Free Trade Agreement (FTA) – 1st Session	Alan Wolff
23	The Economics of FTAs Measuring the Effects	Robert Rogowsky

No.	Paper/Presentation Titles	Authors
24	Commercial Mediation in the Netherlands	Zhidan Chou
25	Vietnam Ministry of Justice Workshop on Commercial Mediation	Hon. Patrick J. King
26	THE DYNAMICS OF COMPARATIVE ADVANTAGE IN ASIA: Preliminary Findings	Tra Pham & James Riedel
27	Commercial Arbitration	Hon. Patrick J. King
28	The Treatment of Government Procurement in RTAs: Coverage-related Aspects and Relevance of the GPA	Philippe Pelletier WTO Secretariat
29	Illustrations of the uses of offsets and other transitional measures under the GPA	Philippe Pelletier WTO Secretariat
30	Scope and Coverage and Potential Market Access Benefits Arising from Membership to the Agreement	Philippe Pelletier WTO Secretariat
31	Domestic Review Procedures: basic GPA requirements	Philippe Pelletier WTO Secretariat
32	Overview of the accession process (before, during and after): substantive and procedural aspects	Philippe Pelletier WTO Secretariat
33	Domestic review procedures: Best practices, and the US experience	Professor Steven L. Schooner George Washington University
34	Developing a coverage offer: practical, strategic and policy considerations	Robert Anderson Counselor, WTO Secretariat (Team leader for government procurement and competition policy)
35	The revised GPA: global context and policy considerations for Vietnam (Including objectives, principles and basic architecture of the Agreement)	Robert Anderson
36	Transitional measures for developing countries that join the Agreement, under the revised GPA	Robert Anderson
37	The Future Work Programs under the revised Agreement, including on SMEs and Sustainable Procurement	Robert Anderson
38	WTO Dispute Settlement and the GPA	Robert Anderson
39	Economic and Public Policy Justifications for Adopting Public Procurement Best Practices	Steven Schooner
40	Offsets, Price Preferences, Social Policy, and other Transitional Measures: a Perspective from the United States	Steven Schooner

No.	Paper/Presentation Titles	Authors
41	Access to U.S. Government Procurement Contracts: Potential Benefits for Vietnamese Suppliers	Steven Schooner
42	Comments on Vietnamese Existing Procurement Legislation	Steven Schooner
43	Open Government in the United States: Public Participation Through E-rulemaking	Alexander Hunt
44	Interagency Coordination of Rulemaking in the United States	Alexander Hunt
45	Effective Techniques for Resolving Investor-State Disputes	Prof. David A. Gantz
46	FTA Commitment on Transparency and Vietnam Law	Phan Vinh Quang
47	Overview of the U.S. Inquiry Point for the World Trade Organization Agreement on Technical Barriers to Trade (TBT) and Overcoming Challenges in Interagency Cooperation	Ms. Hoand, NIST
48	The Benefits of a Common Understanding of Good Regulatory Practice to Trade	Jennifer Stradtman Director, Technical Barriers to Trade Office of the U.S. Trade Representative
49	Interagency Coordination of Rulemaking in the United States	Alexander Hunt
50	Open Government in the United States: Public Participation Through E-rulemaking	Alexander Hunt
51	Introduction to Regulatory Impact Assessment	Alexander Hunt
52	Good Regulatory Practices: New Initiatives in the United States	Alexander Hunt
53	RIA in Vietnamese Law	Le Quoc Bao, TBT Office
54	Implement regulations of RIA in Vietnam	Vinh Nguyen, VNCI
55	Intellectual Property Rights in International Trade	Nguyen Nhu Quynh Hanoi Law University
56	Impacts of APECT to IPR Systems in Vietnam	Nguyen Nhu Quynh Hanoi Law University
57	Parallel Import of Drugs	Nguyen Nhu Quynh Hanoi Law University
58	Protect intellectual works and resolve disputes in commercial agreement	Nguyen Nhu Quynh Hanoi Law University
59	Vietnam Law on methods protecting IPR	Nguyen Nhu Quynh Hanoi Law University

No.	Paper/Presentation Titles	Authors
60	Study on the Economic Impact of “TRIPS-Plus” Free Trade Agreements	Alexander W. Koff, principal investigator Lead Senior Consultant, International Intellectual Property Institute Partner and Chair of the Global Practice, Whiteford, Taylor & Preston L.L.P.
61	IPR Protection in FTAs of Vietnam	Nguyen Duy Bao
62	Effective Techniques for Resolving Investor-State Disputes	David A. Gantz University of Arizona /Rogers College of Law
63	State-to-State Dispute Settlement in the WTO and FTAs	David A. Gantz University of Arizona /Rogers College of Law
64	Effective Techniques for Resolving Investor-State Disputes	David A. Gantz University of Arizona /Rogers College of Law
65	Icebreaker of Real Estate Market: Short and Long Term Solutions	Phan Vinh Quang
66	Structure of Stock Market 2012	BIDV Securities Company
67	Bank system and Vietnam monetary market 2012 - Solutions for Enterprises	Mr. Quang Anh, Maritime Bank
68	Solutions to Non-Performing Loans in Real Estate	Dream House Company
69	Restructure and Develop International Cooperation: International Experiences and Reality in Vietnam	Dr. Nguyen Minh Phong
70	Analysis of the Debt Situation of Governmental Enterprises	Dr. Vu Dinh Anh
71	Restructure Banks: Issues on Budget Expense	Ms. Le Van Hin Vietnam State Bank
72	Financial Programming: Application and Policy Suggestion for Vietnam during 2012-2015	Dao Van Hung/ Vu Thi Minh Luan Policy and Development Institutes
73	Liquidity from a listed enterprise perspective	Nguyen Trong Nghia
74	Macroeconomic Fluctuation, Credit Crunch and Solutions for businesses	Pham Do Chi Expert of USAID STAR Plus Project

No.	Paper/Presentation Titles	Authors
75	Macroeconomic Challenges, Solutions to Businesses and Economic Development	PGS. Dr. Đào Văn Hùng, Dr. Nguyễn Thạc Hoát, Dr. Vũ Thị Minh Luận Dr. Nguyễn Trọng Nghĩa, ThS Nguyễn Thế Vinh, ThS. Nguyễn Việt Anh Học viện Chính sách và Phát triển
76	Growth Slowdown and What to do about it Myths and Realities	James Riedel Johns Hopkins University Pham Thi Thu Tra International University
77	Growth Slowdown and What to Do About It: Myths and Realities	Dr. James Riedel, Dr. Tra Pham
78	E-Rulemaking US Experience – Regulations.gov	Phan Vinh Quang
79	A Case Study on Transparency in Technical Regulations: USA Safety Standards for Baby Cribs in 2010	Andrew Stephens
80	Soft Skills for TBT: How to Comment on a Draft Technical Regulation	Andrew Stephens
81	Good Regulatory Practice (GRP) in formulating Technical Regulations	Andrew Stephens
82	Same documents of the workshop in Ho Chi Minh City	
83	Integration, Transparency and Competition	Phan Vinh Quang
84	Franchising: Challenges and Opportunities	Mr. Sean Ngo - Vietnam Franchises Ltd.
85	Legal Frameworks for Franchising	Fred Burke
86	Franchising: Problem, Dispute and Recommendation	Tran Manh Hung - Baker McKenzie Law Firm
87	Review of Vietnamese Franchising Law and the Role of MOIT	Nguyen Ba Binh
88	IPR Dispute Resolution, Civil Litigation	Bernice Bouie Donald Judge of America Court
89	Theory about Public Debt	Pham Do Chi USAID STAR Plus Project
90	Sustainability of Public Debt in Vietnam	Pham Do Chi USAID STAR Plus Project
91	Situation of Public Debt in Vietnam	Pham Do Chi USAID STAR Plus Project
92	Forecast Public Debt in Vietnam in 2011-2020	Pham Do Chi USAID STAR Plus Project
93	Theory about the Process of Preparing Budget	Pham Do Chi USAID STAR Plus Project

No.	Paper/Presentation Titles	Authors
94	Implementation of Estimated Government Budget	Pham Do Chi USAID STAR Plus Project
103	The WTO and Free Trade Agreements: Benefits and Challenges	Ambassador Susan Schwab
104	Vietnam and the Trans-Pacific Partnership (TPP)	Ambassador Susan Schwab
105	Legal Issues in FTA	Hoang Phuoc Hiep
106	How does the USA Negotiate an FTA?	Andrew Stephens
108	Economic Perspective and Finance Market 2012	Dr. Trinh Quang Anh & Ms. Pham Van Dai, co- author with other researchers in State Bank of Vietnam
110	The weaknesses of Vietnam Bank System	Dr. Quach Manh Hao Economy University, National University
111	TPP Economic Impact research	Peter A. Petri, Michael G. Plummer and Fan Zhai
112	The Trans-Pacific Partnership: A Quantitative Assessment	Peter A. Petri, Michael G. Plummer and Fan Zhai
113	Vietnam and the TPP negotiation Expectations and concerns	NGUYEN Thi Thu Trang
114	Current Situation VÀ Challenges facing Vietnam Customs Under the Trans Pacific Partnership Negotiation	Mr. Duong Van Tam
115	Understanding the TPP FTA by studying American FTA Texts	Andrew Stephens
116	The Trans-Pacific Partnership: A Quantitative Assessment	Peter A. Petri, Michael G. Plummer and Fan Zhai
117	Trans Pacific Partnership (TPP)	Janet Laubda
118	US Government Basics and Other Background Notes for Dairy Risk Assessment Training	Catherine Carnevale, Consultant
119	U.S. Dairy Regulatory System	Robert Childers
120	US FDA Food Safety Modernization Act	Catherine Carnevale, Consultant
121	Experiences in Implementing US Laws and Regulations	Robert Childers Consultant
122	WTO and Food Safety	Catherine Carnevale, Consultant
123	Codex Alimentarius	Catherine Carnevale, Consultant
124	Dairy Product Risk Management – US Approach	Robert Childers Consultant

No.	Paper/Presentation Titles	Authors
125	Risk Assessment	Catherine Carnevale, Consultant
126	Risk Management High Risk Dairy Products	Robert Childers Consultant
127	Cooling, Packaging, Storage and Distribution of Potentially Hazardous Dairy Products	Robert Childers Consultant
128	A Brief Comparison of Dairy Regulatory Models	Robert Childers Consultant
129	Theory of Public Debt	Pham Do Chi USAID STAR Plus Project
130	Situation of Public Debt in Vietnam from 2011-2020	Pham Do Chi USAID STAR Plus Project
131	Sustainability of Public Debt in Vietnam	Pham Do Chi USAID STAR Plus Project
132	Management of Public Debt in VN	Pham Do Chi USAID STAR Plus Project
133	Situation of Public Debt In the World	Pham Do Chi USAID STAR Plus Project
134	Forecast Public Debt in Vietnam from 2011-2020	Pham Do Chi USAID STAR Plus Project
138	Public Administration: Professionalism, Ethics, Discipline and Coordination: A Perspective from the U.S.	Randall Lutter
139	Political and Legal Factors Affecting U.S. Negotiation of Trade Agreements	David A. Gantz
140	State-to State Dispute Settlement in in NAFTA, KORUS and other FTAs	David A. Gantz
141	Transparency in Investment Matters	David A. Gantz
142	Environmental Protection in FTAs: NAFTA to the TPP	David A. Gantz
143	Transparency Commitments in FTA	Phan Vinh Quang
144	Addressing Investor-State Controversies in Developing Countries	David A. Gantz

No.	Paper/Presentation Titles	Authors
145	Understanding the TPP FTA by studying American FTA Texts	Andrew Stephens
146	Programing Macroeconomic Theory	NFSC
147	SYSTEM OF EARLY WARNING FINANCIAL SIGNALS	NFSC
148	SNA and INPUT-OUTPUT Table	Bui Trinh
149	Financial Stability Reports IMF: What are they good for?	Peter Nicholl
150	Malaysian and New Zealand Financial Stability Report	Peter Nicholl
151	Macroeconomic management and policy tool	Pham Do Chi USAID STAR Plus Project
152	Macroeconomic overview 2012	Pham Do Chi USAID STAR Plus Project
153	Inflation Theory	Pham Do Chi USAID STAR Plus Project
154	Impact of international economy on Vietnam	Pham Do Chi USAID STAR Plus Project
155	Gold Prospect	Pham Do Chi USAID STAR Plus Project
156	Financial Market Issues	Pham Do Chi USAID STAR Plus Project
157	Solution to Real Estate and Securities Markets	Pham Do Chi USAID STAR Plus Project
158	Banking Instability and the Need for Restructuring	Pham Do Chi USAID STAR Plus Project
159	Budget Projection - Fiscal and Monetary Policies	Pham Do Chi USAID STAR Plus Project
160	Balance of Payment Project	Pham Do Chi USAID STAR Plus Project
161	Economic Policy Overview	Pham Do Chi USAID STAR Plus Project
162	Economic Restructuring	Pham Do Chi USAID STAR Plus Project
163	Early Warning System for Vietnam: An Overview and Practical Issues	Pham Do Chi USAID STAR Plus Project
164	Financial Programming Overview	Pham Do Chi USAID STAR Plus Project

No.	Paper/Presentation Titles	Authors
165	Note on Scoring System for Impacts in Early Warning Reports	Peter Nicholl US Treasury Advisor
166	Early Warning Systems To Address Financial Crises in Vietnam	Peter Nicholl US Treasury Advisor & Pham Do Chi - Advisor to USAID STAR Plus
167	Economic Risk for 2012	Pham Do Chi USAID STAR Plus Project
168	Resolution 11 and Agenda for 2012	Pham Do Chi USAID STAR Plus Project
169	Macroeconomic overview for 2012	Pham Do Chi USAID STAR Plus Project
170	How fiscal policy can support monetary policy in 2012?	Pham Do Chi USAID STAR Plus Project
171	Restructuring, A New Growth Model and the Middle Income Trap	James Riedel, Johns Hopkins University and Tra Pham, International University/VNU-HCM
172	Vietnam Banking System and Restructuring	Bùi Huy Thọ
173	MEI 2011 Presentation	VCCI
174	Negotiations and Building Consensus	Geza Feketekuty Institute for Trade and Commercial Diplomacy
175	Secured Transactions Review	MOJ, NARAS
176	Issues for banks in registering land use right mortgage and security of assets attached to land	Phạm Ngọc Liên
177	Secured transaction: Reality and Recommendations	Military Bank
178	The Role of the Government in Economic Management	Dang Nhu Loi
179	The Role of the Government in a Market Economy	Prof. Nguyen Dan Dung
180	Reform of the Government Role in Economic Management	Dr. Nguyễn Minh Phong
181	Rights and Obligations of the Government in Economic Management	Dr. Nguyễn Thị Vân Anh

No.	Paper/Presentation Titles	Authors
182	Review of IPR Law	Dr. Dương Tử Giang, Dr. Phạm Vũ Khánh Toàn – Phạm và Liên danh Baker & Mc Kenzie
183	Introduction to Consumer Protection Law	MOIT
184	Beginning to End An Outline of Criminal Procedure in the United States	Professor William J. Bridge
185	Civil Litigation	Professor Xuan-Thao Nguyen Professor of Law SMU Dedman School of Law
186	Skills Training in U.S. Law Schools	Professor Xuan-Thao Nguyen Professor of Law SMU Dedman School of Law
187	Intellectual Property Law and The Internet	Professor Xuan-Thao Nguyen Professor of Law SMU Dedman School of Law
188	Internet and the Law for Ecommerce	Professor Xuan-Thao Nguyen Professor of Law SMU Dedman School of Law
189	Beginning to End An Outline of Criminal Procedure in the United States	Professor William J. Bridge
190	Civil Litigation	Professor Xuan-Thao Nguyen Professor of Law SMU Dedman School of Law
191	Review of Implementation of Resolution 11	Phan Thanh Ha Pham Do Chi
192	Monetary Policy after Resolution 11: Impact on Inflation and Exchange Rate	Phan Thanh Ha Pham Do Chi
193	No pain, no gain	Phan Vinh Quang
194	How Vietnam's GDP is constructed?	Bui Trinh
195	Recalculating the efficiency of public investment and policy implication	Bui Trinh
196	Review of Budget and Spending for 2011-2012	Phan Thanh Ha Pham Do Chi
197	Banking Restructuring	Pham Do Chi USAID STAR Plus Project
198	Restructuring the banking sector	Bui Huy Tho
199	Restructuring the banking sector	TS Vu Dinh Anh
200	Current Issues of the Food Safety Regulatory System for Seafood Imported into the USA	Andrew Stephens
201	Understanding SPS Requirements for Exporting Vietnamese Tropical Fruits and Vegetables to	Matt Lantz Bryant Christie Inc.

No.	Paper/Presentation Titles	Authors
	the US	
202	Marketing Tropical Fruit in the US Case Studies	Matt Lantz Bryant Christie Inc.
203	Introduction to the US Food Safety Modernization Act	Matt Lantz Bryant Christie Inc.
204	The US Food Safety Modernization Act & Its Impact on Imports	Matt Lantz Bryant Christie Inc.
205	Marketing Tropical Fruit in the US	Matt Lantz Bryant Christie Inc.
206	Check List for Exporters regarding SPS Requirements when Entering US Markets	Matt Lantz Bryant Christie Inc.
207	Trans Pacific Partnership (TPP) and Benefits to Vietnamese Tropical Fruit Growers/Shippers	Matt Lantz Bryant Christie Inc.
208	Marketing Vietnamese Tropical Fruit in the US	Matt Lantz Bryant Christie Inc.
209	Opening Cinema Agreements: New Technologies, Management Festivals and Markets Closing	Dr. Dean Wilson
210	Case studies on Consumer Protection	Tu Phan
211	Introduction to Consumer Protection Law	MOIT
212	The Role of Minister and Ministry	Dang Quoc Tien
213	Centralized Government	Nguyen Dang Dung
214	Salmonella in Broiler ChickensA case study	Richard Raymond, M.D.
215	Food Safety in the U.S. Who does what and why?	Richard Raymond
216	Food Safety Experiences in the U.S. over the last 20 Years	Richard Raymond, M.D
217	Food Safety Risk Analysis	Richard Raymond, M.D
218	Hazard Analysis and Critical Control Point	Richard Raymond, M.D
219	Foodborne Pathogens	Richard Raymond, M.D
220	Cold Chain Management in the Food Processing Sector: Maximizing Safety, Quality and Efficiency	Richard Raymond, M.D
221	Low Cost Methods for Improving Hygiene During Animal Sacrifice at Non-Regulated Slaughter Facilities	Dr. Stephen Neel
222	Intellectual Property Rights Enforcement Working With The Private Sector	Gary Brabant IPR Operations Branch Office of International Trade
223	Budgeting Exercise	Pham Do Chi USAID STAR Plus Project
224	Budget Restructuring: Application for 2012	Pham Do Chi USAID STAR Plus Project

No.	Paper/Presentation Titles	Authors
225	Budgeting Theory	Pham Do Chi USAID STAR Plus Project
226	National Budgeting Process	Pham Do Chi USAID STAR Plus Project
227	2012 budget projections	Pham Do Chi USAID STAR Plus Project
228	IPR Protection on Drug and Vietnamese Consumers	Tran Viet Dung HCM Law University
229	National Regulations on Pharmaceutical Patents: Law and Practices	Nguyen Thanh Tam Hanoi Law University
230	"Impact of Pharmaceutical IPR Protection on Import and Distribution of Pharmaceutical Products"	Phan Ngoc Tam
231	Investment Map	ITC
232	In Search of a New Growth Model for Vietnam: Is Export-Oriented Industrialization Still the Right Strategy?	James Riedel, Johns Hopkins University
233	Investment Arbitration – Rules and Practice	Andrew Stephens
234	CASE STUDY PCI ĐÀ NẴNG 2011 BEHIND THE "CHAMPION"	Jim Winkler Director of USAID/VNCI
235	The PCI 2010 & Foreign Direct Investment Survey	Jim Winkler Director of USAID/VNCI
236	Competitiveness and Comparative Advantage: Should supporting industries be supported?	Pham Thi Thu Tra
237	Public Finance Restructuring	Pham Do Chi USAID STAR Plus Project
238	Hague Conference: On the private international Law: an Overview	Christophe Bernasconi Deputy Secretary General
239	Increased IP Protection – Good, Bad or No Effect on Vietnam	Alex Koff
240	Trademark Enforcement in the United States	Peter N. Fowler Senior Counsel for Enforcement USPTO
241	How to Address the Need for 21st Century IPR Enforcement in Trade Agreements	Peter N. Fowler Senior Counsel for Enforcement USPTO
242	Investment Map	Joseph Wozniak & Gregory Sampson, ITC
243	Trade map	Joseph Wozniak & Gregory Sampson, ITC
244	Introduction on Standards Map	Joseph Wozniak & Gregory Sampson, ITC

No.	Paper/Presentation Titles	Authors
245	Public and private standards: What are they and how are they different?	Joseph Wozniak & Gregory Sampson, ITC
246	Comparative analysis and review of private standards	Joseph Wozniak & Gregory Sampson, ITC
247	Standard Analysis – General Questions	Joseph Wozniak & Gregory Sampson, ITC
248	Choosing the Right Coffee Standard: Case Studies from Viet Nam	Joseph Wozniak & Gregory Sampson, ITC
249	Practical Exercise on STANDARDS MAP	Joseph Wozniak & Gregory Sampson, ITC
250	Public and private standards: What are they and how are they different?	Joseph Wozniak & Gregory Sampson, ITC
251	Comparative analysis and review of private standards	Joseph Wozniak & Gregory Sampson, ITC
252	Learning how to interpret Standards Map data	Joseph Wozniak & Gregory Sampson, ITC
253	Common Questions on Standards Map	Joseph Wozniak & Gregory Sampson, ITC
254	International assistance in criminal cases: an analysis of law, procedure, and best practice	Philip A. Guentert
255	Projection of a Financial Crisis	Pham Do Chi USAID STAR Plus Project
256	Macroeconomic Risks for 2011 and 2012	Pham Do Chi USAID STAR Plus Project
257	SYSTEM OF EARLY WARNING SYSTEM (EWS) SIGNALS	Pham Do Chi USAID STAR Plus Project
258	Congressional Hearing Paper and Checklist	Professor William Frasure and John Bentley
259	Policy Brief: Restructuring A New Growth Model	James Riedel and Dr. Tra Pham
260	Growth Slowdown and Solutions	Professor James Riedel and Dr. Tra Pham
261	Report on Government Organization Law	Professor William Frasure